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BYGONE CUMBERLAND AND
WESTMORLAND.



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THE LEFERS' SQUINT, ST. MICHAEL'S CHURCH, BROUGH-UNDER-STAINMORE.

[*Mr. George Arkwright, Beatrice, Nebraska, U.S.A.*

Bygone Cumberland

and

Westmorland. . . .

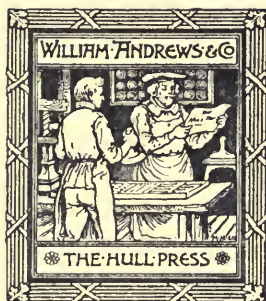
By Daniel Scott. . . .



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TO EMMA.

Preface.

THE information contained in the following pages has been derived from many sources during the last twenty years, and in a considerable number of cases I have examined old registers and other documents without being then aware that some of their contents had already been published.

Few districts in the United Kingdom have been more thoroughly “worked” for antiquarian and archæological purposes than have Cumberland and Westmorland. The Antiquarian Society and the numerous Literary and Scientific Societies have, during the last thirty years, been responsible for a great amount of research. I have endeavoured to acknowledge each source—not only as a token of my own obligation, but as a means of directing others wishing further information on the various points.

I also desire to acknowledge the help received in various ways from numerous friends in the two counties.

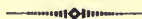
DANIEL SCOTT.

PENRITH, *June 1st, 1899.*

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Bygone Cumberland and Westmorland.



An Unparalleled Sheriffwick.

FOR a period of 645 years—from 1204 to 1849—Westmorland, unlike other counties in England (excluding, of course, the counties Palatine), had no Sheriff other than the one who held the office by hereditary right. The first Sheriff of the county is mentioned in 1160, and nine or ten other names occur at subsequent periods, until in 1202, the fourth year of the reign of King John, came Robert de Vetripont. Very soon afterwards the office was made hereditary in his family “to have and to hold of the King and his heirs.” The honour and privileges were possessed by no less than twenty-two of Robert’s descendants. Their occupation of the office covers some very exciting periods of county history, the tasks committed to the Sheriffs in

former centuries being frequently of an arduous as well as dangerous character.

The Sheriff had very important duties of a military character to carry out. Thus in the sixth year of Henry the Third we have the command from the King to the Sheriff of Westmorland that without any delay he should summon the earls, barons, knights, and freeholders of his bailiwick, and that he should hasten to Cockermouth and besiege the castle there, afterwards destroying it to its very foundations. This order was a duplicate of one sent to the Sheriff of Yorkshire concerning Skipton Castle and other places. It is not known, however, whether the instructions respecting Cockermouth were carried out or not.

The powers of Sheriff not being confined to the male members of the family, the histories of Westmorland contain the unusual information that at least two women occupied, by right of office, seats on the bench alongside the Judges. The first of these was Isabella de Clifford, widow of Robert, and, wrote the historian Machell, "She sate as is said in person at Apelby as Sheriff of the county, and died about 20 of Edward I." The other case was that of the still more powerful, strenuous, and gifted woman, Anne, Countess

of Pembroke. Of her it is recorded that she not only took her seat on the bench, but "rode on a white charger as Sherifess of Westmorland, before the Judges to open the Assizes." It will not be forgotten that territorial lords and ladies in bygone times held Courts of their own in connection with their manors and castles. The Rev. John Wharton, Vicar of South Stainmore, in a communication to the writer some time ago said: "From documents shown me by the late John Hill, Esq., Castle Bank, Appleby, the great but somewhat masculine Anne, Countess of Pembroke and Montgomery, seemed partial to Courts of her own. She sat upon many offenders as a judge, and it is handed down that she executed divers persons for treasonous designs and plotting against her estate."

The Memoranda Rolls belonging to the Lord Treasurer's Remembrancer, show the mode of presenting or nominating the Sheriff for Westmorland in the time of the Cliffords, his admittance to the office by the Barons of the Exchequer, and his warrant for executing it. From the Rolls of the 15th, 19th, and 23rd years of Edward the First, when the Sheriffwick passed into the family of the Cliffords, it seems that the right of appoint-

ment was the subject of litigation between the two daughters and heiresses of the last of the Vetriponts. This ended in an agreement that the elder sister should "present" to, and the younger should "approve" the appointment. In this way Robert de Moreville was admitted to the office of Sheriff in the fifteenth year of Edward's reign, Gilbert de Burneshead three years later, and Ralph de Manneby in 1295, each swearing faithfully to execute his office and answer to both daughters. On the death of the sisters the Sheriffrick became vested in Robert de Clifford, son and heir of the eldest, and continued in the possession of his descendants until the attainder in 1461.

The list of Sheriffs is, of course, a very long one, and even allowing for the large number of individuals who have left nothing more than their names, there is much material for interesting study in the histories of the others. The actual work was rarely done by the holders of the office. "The functionaries who performed the duties were simply deputies for the Sheriff, and although we find them attesting many ancient charters and grants relating to the county, recording themselves as Vice-Comites (or Sheriffs), they

simply executed the office as Pro-Vice-Comites (or Under - Sheriffs). The attainder of the Cliffords during the Wars of the Roses, until its reversal in the first year of Henry the Sixth, causes a void as regards their family, their places being filled from among the supporters of the House of York.* For a considerable period Westmorland was treated as part of Yorkshire, the Sheriff of the latter county rendering an account of the two places jointly. From the time of John, however, the accounts rendered for Westmorland by Yorkshire Sheriffs would have been as Sub-Vice-Comites for the Vetriponts.

The High Sheriffs and their connections lived in considerable state when the country was sufficiently peaceable to permit of it. This is proved by the arrangement and size of their castles, while Sir Lancelot Threlkeld, half-brother of Henry Clifford, used to boast that he had three noble houses. One, at Crosby Ravensworth, where there was a park full of deer, was for pleasure; one for profit and warmth wherein to reside in winter, was the house at Yanwath; and the estate at Threlkeld was "well stocked

* Paper communicated by Sir G. Duckett, July, 1879.

with tenants ready to go with him to the wars." The various "progresses" of the Countess Anne also afford evidence of the state kept up, for she frequently speaks of her journeys from one castle to another "escorted by my gentlemen and yeomen."

Among the numerous pieces of patronage which became the prerogative of the High Sheriffs of Westmorland, was that of the Abbey of Shap, but there does not appear to be any record when this and other privileges passed from them, the property being granted by Henry the Eighth to the Whartons. Where so much power lay in the hands of one person, or of one family, differences with other authorities was perhaps inevitable. The interests of the burgesses of Appleby would seem to have clashed at times with those of the Sheriff, and for very many years the parties kept up a crusade against each other, especially during the reigns of the first three Edwards. What the cost of those proceedings may have been to the Sheriff cannot be told, but on the other side the result was the forfeiture of rights for a considerable time, because the fee farm rent had got into arrear. The Hereditary High Sheriff had the privilege of appointing the

governor of the gaol at Appleby, but he had to pay £15 per annum towards the salary, while the magistrates appointed the other officials and made up from the county rates the remainder of the cost of the institution.

The long period during which the holders of the Sheriffwick held the privilege is the more remarkable—as Sir G. Duckett, Bart., reminded the northern archæologists in 1879—because of the way in which ancient grants and statutes have in almost all cases become a dead letter and obsolete.

A singular incident in connection with the Sheriffwick happened about seventy years ago, and is recorded in the life of Baron Alderson, father of the Marchioness of Salisbury. The Baron went to Appleby to hold the half-yearly assizes, but on arriving there found that he could not carry out his work because Lord Thanet was in France, and had omitted to send the documents for obtaining juries. The Judge had therefore to spend his time as best he could for several days, until a messenger could see the High Sheriff in Paris and obtain the necessary papers.

When the eleventh and last Earl of Thanet

died in June, 1849, the male line of the family ceased, the estates passing by will to Sir Richard Tufton, father of the present Lord Hothfield. The office of Hereditary High Sheriff was claimed by the Rev. Charles Henry Barham, of Trecwn, nephew of the Earl, but a question arising as to the validity of a devise of the office, Mr. Barham relinquished his claim in favour of the Crown. An Act was afterwards passed—in July, 1850—making the Shrievalty in Westmorland the same as in other counties.

Watch and Ward.

THE geographical position of the two counties rendered an extensive system of watching essential for the safety of the residents. In the northern parts of Cumberland, along the Border, this was particularly the case ; but there watch and ward was more of a military character than was necessary elsewhere, while as it was a part of the national defence it passed into the care of the Government for the time being. From the necessity for “watching and warding” against the northern incursions, came the name of the divisions of the two counties. Cumberland had for centuries five wards ; more recently for purposes of local government these were increased to seven ; and Westmorland also has four wards.

The regulations of the barony of Gilsland, in a manuscript volume belonging to the Earl of Lonsdale, are very explicit as to what was required of the tenants in the way of Border service. These stipulated for good horses, efficient armour and weapons for the bailiffs, and a rigid supervision of those of lower rank. The

tenants' nags were ordered to be "able at anye tyme to beare a manne twentie or four-and-twentie houres without a baite, or at the leaste is able sufficientlye to beare a manne twentie miles within Scotlande and backe againe withoute a baite." Every tenant, moreover, had to provide himself with "a jacke, steale-cape, sworde, bowe, or speare, such weapons as shall be thought meatest for him to weare by the seyght of the baylife where he dwelleth or by the land-serjeante." The rules as to the watch required that every tenant should keep his night watch as he should be appointed by the bailiff, the tenant breaking his watch forfeiting two shillings, which in those days was a formidable amount. The tenants had to go to their watch before ten o'clock, and not to return to a house till after cock-crow; they were also required to call twice to all their neighbours within their watches, once about midnight, and "ones after the cockes have crowen."

Detailed instructions were drawn up for the guidance of the men during their watches. These were even less emphatic, however, than those which referred to the maintenance and keeping of the beacons, of which fourteen public

ones (including Penrith and Skiddaw) are named in Nicolson and Burn's History. Modernising the spelling, one of the paragraphs runs as follows :—

“The watchers of a windy night shall watch well of beacons, because in a wind the fray cannot be heard, and therefore it is ordered that of a windy night (if a fray rise) beacons shall be burnt in every lordship by the watchers. One watcher shall keep the beacon burning and the other make speed to the next warner, to warn all the lordships, and so to set forwards. And if the watchers through their own default do not see the beacons burn, or do not burn their own beacons, as appointed, they shall each forfeit two shillings. If the warners have sufficient warning by the watchers, and do not warn all within their warning with great speed, if any fault be proved of the warner he shall forfeit 18d.”

The “Orders of the Watch” made by Lord Wharton in October, 1553, are of considerable local interest in connection with this subject, and the following extracts may for that reason be quoted :—

“Ainstable, Armathwhaite, Nunclose, and Flodelcruke to keep nightly Paytwith with four persons; William Skelton's bailiffs and constables to appoint nightly to set and search the said watch. Four fords upon Raven, to be watched by Kirkoswald, Laisingby, Glassenby, Little Salkeld, Ullesby, Melmorby, Ranwyke, and Harskew: at every ford nightly four persons; and the searchers to be

appointed by the bailiffs and constables, upon the oversight of Christopher Threlkeld, the King's Highness's servant. Upon Blenkarn Beck are five fords, to be watched by Blenkarn, Culgaith, Skyrwath, Kirkland, Newbiggin, Sourby, Millburn, Dufton, Marton, Kirkbythore, Knock, and Milburn Grange ; bailiffs and constables to appoint searchers : Overseers, Christopher Crackenthorp, and Gilbert Wharton, the King's Highness's servants. Upon the water of Pettrel : From Carlisle to Pettrelwray ; bailiffs and constables there, with the oversight of the late Prior of Carlisle for the time being, or the steward of the lands. And from thence to Plompton ; overseer of the search and watch nightly John Skelton of Appletreethwayt, and Thomas Herrington, Ednal and Dolphenby ; Sir Richard Musgrave, knight, overseer, his deputy or deputies. Skelton and Hutton in the Forest ; overseers thereof, William Hutton and John Suthake. Newton and Catterlen, John Vaux, overseer, nightly. For the search of the watches of all the King's Highness's lands, called the Queen's Hames, the steward there, his deputy or deputies, nightly. From the barony of Graystock ; the Lord Dacre, his steward, deputy or deputies, overseers. This watch to begin the first night of October, and to continue until the 16th day of March ; and the sooner to begin, or longer to continue at the discretion of the Lord Warden General or his deputy for the time being. Also the night watch to be set at the day-going, and to continue until the day be light ; and the day watch, when the same is, to begin at the day light, and to continue until the day be gone."

Penrith Beacon had an important place in the system of watch and ward in the south-eastern



From a Photo by]

PENRITH BEACON.

[Mr. John Bolton, Penrith.

parts of Cumberland and North Westmorland. As a former local poet wrote :—

“Yon grey Beacon, like a watchman brave,
Warned of the dreaded night, and fire-fed, gave
Heed of the threatening Scot.”

The hill before being planted as it now appears, was simply a bare fell, without enclosures of any kind. The late Rev. Beilby Porteus, Edenhall, in one of his books,* after mentioning the uses of Penrith Beacon, added :—“Before these parts were enclosed, every parish church served as a means of communication with its neighbours ; and, while the tower of Edenhall Church bears evident tokens of such utility, there yet exist at my other church at Langwathby, a morion, back, and breast-plate, which the parish were obliged to provide for a man, termed the ‘Jack,’ whose business it was at a certain hour in the evening to keep watch, and report below, if he perceived any signs of alarm, or indications of incursions from the Border.”

South Westmorland had as its most important look-out station, Farleton Knott, where “a beacon was sustained in the days of Scottish invasion, the ruddy glow of which was responded to by

* “Sir Ewain ; or, the Giant’s Cave.” Penrith, 1860.

the clang of arms and the war notes of the bugle."

Wardhole, now known as Warthol, near Aspatria, was once an important protection station, watch and ward being kept against the Scots; from this place "the watchmen gave warning to them who attended at the beacon on Moothay to fire the same." The ancient beacon of Moota is about three miles from Cockermouth. Dealing with the natural position of Bothel, Nicolson wrote over a century ago :—"The town stands on the side of a hill, where in old time the watch was kept day and night for seawake, which service is performed by the country beneath Derwent at this place, and above Derwent, in Copeland, at Bothil, in Millom. It is called *servicium de bodis* in old evidences, whereupon this hill was named the *Bode-hill*, and the village at the foot of it *Bode-hill-ton* (Bolton), or *Bodorum Collis*. The common people used to call a lantern a *bowet*, which name and word was then in use for a light on the shore to direct sailors in the night, properly signifying a token, and not a light or lantern, as they call a message warranted by a token a *bode-word*, and the watchmen were called *bodesmen*, because they had a *bode*, or watchword given

them, to prevent the enemy's fraud in the night season."

There was a noted beacon near Bootle, from which that town took its old name—"Bothill"—the beacon being fired, upon the discovery of any ships upon the Irish Sea which might threaten an invasion, by the watchmen who lay in *booths* by the beacon. For the support of this service the charge or payment of seawake was provided. This payment occurs in connection with various manors; thus on an inquisition of knights' fees in Cumberland it was found that Sir William Pennington held the manor of Muncaster "of the King as of his castle of Egremont, by the service of the sixth part of one knight's fee rendering to the King yearly for seawake 12^d, and the puture of two serjeants." At the same inquiry it was certified that William Kirkby held the manor of Bolton, in the parish of Gosforth, of the King "by knight's service, paying yearly 10/- cornage, and seawake, homage, suit of court, and witness-man." He also paid two shillings seawake for other lands in the district. Many other instances of this tax for watch and ward in old days might be quoted, but diligent search and inquiry during the last few months have failed to show that it is now exacted

in any form, or when the payments were allowed to lapse.

Of watch and ward as applied to town and village life as distinct from Border service there may be found in Cumberland and Westmorland records many very interesting and suggestive reminders. By the famous statute of Winchester it was provided that from Ascension Day to Michaelmas in every city six men should keep watch at every gate, in every borough twelve men, and in every other town six or four, according to the number of the inhabitants, and that these should watch the town continually all night from the setting to the rising of the sun. This was but one of three kinds of watches, the others being kept by the town constable, and the other set by authority of the justices. Every inhabitant was bound to keep watch in his turn, or to find another. It was specially provided that the watching and warding should be by men able of body and sufficiently weaponed, and therefore a woman required to watch might procure one to watch for her. While the person thus chosen had to bear sundry punishments in default of carrying out a duty which was neither pleasant nor safe, there was the wise provision that if a

watchman were killed in the execution of his duty, as in endeavouring to apprehend a burglar, his executors were entitled to a reward of £40. In the standard work by Orton's best known former Vicar may be found two copies of Westmorland warrants, one for the keeping of watch, and the other for the commitment of a person apprehended by the watch, while there is also a copy of an indictment for not watching. This was no mere matter of form; for hundreds of years after King Edward instituted the system it was the chief safeguard against robbery, and in a great many places against incursions of the enemy.

At Kendal watch and ward was strictly maintained, not for the purpose of keeping out marauding Scots or other undesirable characters, but for the maintenance of quiet and order in the streets. In 1575 the Mayor and burgesses of Kendal made the following order with reference to the watching of the borough :—

“It is ordered and constituted by the Alderman and head burgesses of this borough of Kirkby Kendal, that from henceforth nightly in the same borough at all times in the year, there shall be kept and continued one sufficient watch, the same to begin at nine of the clock of the night, and to continue until four of the clock in the morning, in which watch always there shall be six persons, viz.,

two for Sowtergate, two for Marketstead and Stricklandgate, and two for Stramagate, to be taken and going by course in every constablewick one after the other, and taking their charge and watchword nightly off the constables or their deputies, severally as in old times hath been accustomed ; which six persons so appointed watchmen nightly shall be tall, manlike men, having and bearing with them in the same watch every one a halberd, ravenbill, axe, or other good and sufficient iron bound staff or weapon, sallett or scull upon every one his head, whereby the better made able to lay hands upon and apprehend the disordered night walkers, malefactors, and suspicious persons, and to prevent and stay other inconveniences, and shall continually use to go from place to place and through street and street within the borough during all the time appointed for their watch, upon pain to forfeit and lose to the Chamber of this borough for every default these pains ensuing, that is to say, every householder chargeable with the watch for his default 3s. 4d., and every watchman for his default such fine and punishment as shall be thought meet by the Alderman and head burgesses."

Shortly before the end of 1582 the foregoing order was repealed and another regulation substituted. The material part was in the following quaint terms, the original spelling being observed :

"And shall contynnally goo and walk ffrome place to place in and throughe suche streete within the same boroughe as they shal be opoyntyed and assigned by the Constabull or his deputy then settinge the watch that is to say ij of them in everie suche streete in companye together

as they may be apoynted ffor their sayd watche vpon payne to forfeyte and losse to the Chamber of this Bourgh for everie fault dewly pved theis payns ensuinge that is to say everie householder and wedow and bachler Chargeable wth the watche for his default xijd and every watchman ffor his default such ffyne and punnyshmt as shal be thought mete by the Alderman or his deputye ffrome tyme to tyme beinge."

At Carlisle and several other places the rules for the watch were among the most interesting and important items in the whole of the rules concerning local government. On the coast at times very vigorous action was both required and taken. At Whitehaven, in February, 1793, a meeting of the authorities was held "in consequence of the daring attempts made by the enemy in other places and the dangers to which the port was formerly exposed." Orders were issued for mounting all the heavy guns, and for procuring ammunition and other stores. Thirty-six weapons were mounted in six batteries; governors of these batteries were appointed, with other officers. A nightly watch was set, and every precaution taken to prevent a surprise, or to resist any attack which might be made on the port. Fortunately the precautions were not put to the test.

Coming down to a much later period, but still connected with the protection of the two counties, a curious incident may be recalled, if for no other reason than that it is impossible for such a contretemps ever to occur again. In 1807, after a ballot for the Cumberland Militia, Penrith being the headquarters, an order arrived for the recruits to be marched up to the regiment. They were, wrote an eye witness, accordingly mustered for that purpose in marching order, and, followed by many of the populace, arrived at Eamont Bridge, where the sister counties of Cumberland and Westmorland divide. Here there was a sudden halt. They would not cross the bridge without their county guinea. After some altercation, and promises by Colonel Lacy and other gentlemen that they should be paid on joining the regiment, which promises were of no avail, they were counter-marched to Penrith. For three successive days they were thus marched, and still halted at the division of the counties. The lower orders of the populace took part with the soldiers, and a riot ensued, in which Colonel Lacy, the commanding officer, was very roughly handled. The consequence was that a troop of Enniskillen Dragoons was sent for from Newcastle-upon-Tyne, and

arrived in Penrith on the morning of the third day. A hard black frost was set in at the time, and the horses being "sloape shod," they were falling in every direction. They were marched along with the recruits, who again stopped at the bridge. The populace was still unruly; the dragoons loaded their firepieces; the Riot Act was read, and the word "March" was given; but it was of no avail. A general cry was then raised that they would be satisfied with the promise of Colonel Hasell of Dalemmain, but of no other man. Mr. Hasell came forward, and in a short, manly address, gave his promise that they should be paid on joining the regiment, and with cheers for the Colonel, they at once marched off.

Fighting Bishops and Fortified Churches.

THE ecclesiastical history of Cumberland and Westmorland is curiously interwoven with that of secular affairs. This to a large extent arises from the geographical position of the diocese of Carlisle—and particularly of the diocese before its extension in 1856, up to which year it was the smallest in England. The Bishop of Carlisle in bygone centuries had always to take a leading part in fighting schemes, and as the churches would be the only substantial structures in some villages, they naturally came to be put to other uses than those of worship.

The bishopric was indeed a unique district. Carlisle was the great Border fortress of the West Marches; the Bishop was invariably a Lord Marcher, and often Captain of the Castle. In copies which Halucton (Halton) caused to be extracted from the Great Roll of the Exchequer, frequent references are made to expenses incurred during a siege. These are believed to refer to 1295-6, when the Earl of Buchan and Wallace assailed the city, and when the Bishop was

apparently Warden. The ecclesiasts during many hundreds of years must have been almost as familiar with the touch of armour as with that of their sacred robes. Writing on this subject over a century ago a Cumberland authority said :—

“As an example of the prevailing humour of those martial times, what sort of priest must we suppose Cressingham to have been, who never wore any coat that is accounted characteristic of a profession, but that in which he was killed, namely, an iron one. Beck, the fighting Bishop, was so turbulent a mortal that the English King, in order to keep him within bounds, was obliged to take from him a part of those possessions which he earned in battle, and in particular the livings of Penrith and Symond-Burne. But not to mention Thurstan, who fought the battle of the Standard, there are sufficient reasons for believing that most of the priests in the northern parts of England had a double profession, and they are so often mentioned as principals in these continual wars that one cannot help concluding that the martial one was more attended to. When the pastors are such, what must the people be?”

There was a very interesting quarrel—the facts being too numerous to be stated here—concerning the manor of Penrith, and those in some other parts of East Cumberland. They were in the possession of John de Baliol, by virtue of an agreement come to between the Kings of England and Scotland, but afterwards Edward the First quarrelled with Baliol, seized his lands, and

granted them to Anthony Beck, the military Bishop of Durham already mentioned. That prelate had assisted the King at the battle of Falkirk, with a considerable number of soldiers, and was greatly instrumental in obtaining the victory. When the Parliament met at Carlisle, however, the grant was disapproved, and as the Bishop did not attend to show by what title he had taken the lands, they were adjudged to belong to the Crown.

The manuscripts of the Dean and Chapter of Carlisle contain many references to the knowledge of war required by the early Bishops. When Linstock was the episcopal residence, it lay exposed to the incursions of the Scots, whose respect of persons, as Mr. C. J. Ferguson has reminded us, was small. In April, 1309, Bishop Halton excused himself from obeying a summons to Parliament, pleading both fear of a Scots invasion and bad health as reasons. Later correspondence showed that the Bishop had been employed by the King as his deputy in suppressing outrages in the West March, and desired to be freed from some of his duties. The King therefore absolved the prelate from the duties to which he objected, but begged him to assume the

remainder of the offices in his commission, so as to restrain the lawlessness prevailing on both sides of the Border.

The difficulties of defence, or the constant annoyance, became so great that in 1318 Edward the Second obtained from the Pope the appropriation to the bishopric of Carlisle of the church of Horncastle, Lincolnshire, to be a place of refuge for the Bishop and his successors during the ravages of the northern enemy. Thomas de Lucy, upon the invasion of the Scots in 1346, "joined his strength with the Bishop of Carlisle [Welton], and so alarmed the enemy in the night-time, by frequent entering into their quarters, that at length they fled into their own country. And a truce shortly after ensuing, he was again joined in commission with the same Bishop and others to see the same duly observed." The Bishop was soon afterwards constituted one of the commissioners for the arraying of men in the counties of Cumberland and Westmorland for the defence of the Borders, the French then threatening an invasion. With the growth of these troubles from abroad, pressure was put upon those who could raise funds, of whom Bishop Appleby was not the least important. "*Brevia de privato sigillo*

quickly succeed one another at this time," wrote the Rev. J. Brigstocke Sheppard, in 1881,* when he had gone carefully through the muniments of the Dean and Chapter. "The King, in an agony of apprehension, occasioned by the threat of invasion, backed by a large fleet collected in the northern ports of France, begs the Bishop again and again to raise a defensive militia, to cause prayers to be offered in all churches, and finally to advance him as much money as he can upon security of the clerical *disme* which would soon be due." In a further letter, the King being determined to borrow from such of his subjects as could best afford to lend, ordered the Bishop to send for six of the richest clergy and six of the most affluent laymen in each county, and upon these twenty-four to impose a loan of fifty marks on an average—more upon those who could afford it, and less upon those less able to bear the tax. In 1373 Bishop Appleby was enjoined by the King to reside continually in his diocese upon the Marches, and to keep the inhabitants in a state of defence as a protection to the rest of the kingdom against the Scots.

And so through all the long list of Border

* Historical Manuscripts Commissioners' Ninth Report.

troubles the Bishops had to take a conspicuous share in the proceedings, until the ludicrous incident on Penrith Fell, which was the last occasion on which a Bishop took part in fighting on English soil. Various local chroniclers have given different versions, but there seems to be no room for doubt that the one by Chancellor Ferguson is accurate. When in 1715 the Jacobites marched from Brampton to take Penrith, the people from all the country side (though whether the number was 4,000 or 14,000, as variously stated, is not material), armed with guns, scythes, pitch-forks, and other handy if not always military weapons, went on to the fell to meet the rebels. The "*posse comitatus* were under Lord Lonsdale and Bishop Nicolson, the latter seated in his coach, drawn by six horses. So soon as the Highlanders appeared, the *posse comitatus* went away; in plain words they skedaddled, leaving the two commanders and a few of their servants. Lord Lonsdale presently galloped off to Appleby, and the Bishop's coachman, whipping up his horses, carried off his master *willy nilly* to Rose Castle. It is said the prelate lost his wig, while shouting from the carriage window to his coachman to stop." The

result of this ignominious retreat was that the Jacobites took possession of Penrith for the time being, but behaved well, their most serious action being the proclamation of James the Third, and the capture of a lot of provisions.

From fighting prelates to fortified churches is not a long step. Three or four of these structures have come in for more notice than the rest, although the latter cannot thereby be considered as lacking some of the most interesting features of the others. During the last thirty years the changes necessitated by restorations of churches have caused some of these relics of turbulent times to be somewhat altered; there are still, however, numerous village structures which tell their own story much more vividly, to the trained eye, than could be done by written record. When the late Mr. John Cory, county architect for Cumberland, read his paper on the subject at Carlisle a quarter of a century ago, he pointed out some of the characteristics of these ancient ecclesiastical strongholds: "The distance from each other tells of a scanty population; the deficiency of architectural decoration shows that the inhabitants of the district were otherwise engaged than in peaceful occupations; while traces of continual repairs in

the fabric are evidently not to be attributed to the desire shown in the churches of many southern counties to make good buildings better, but have resulted from the necessity occasioned by the partial destruction of churches through hostile aggressions. In many instances it may be said that the church had been erected scarcely less for the safety of the body than for the benefit of the soul."

That the abbey of Holme Cultram was once both a fortress and a church is shown to this day by the remains of earthworks which once served for its defence. Curious entries in the parish books also indicate the bitter hatred of the Cumbrians for those from over the Border. The value of the abbey is shown by a petition of the inhabitants of the lordship to Cromwell in 1538, when they asked "for the preservation and standynge of the Church of Holme Cultrane before saide; whiche is not onelye unto us our parish Church, and little ynoughe to receyve all us, your poore Orators, but also a great ayde, socor, and defence for us agenst our neighbours the Scots, witheaut the whiche, few or none of your Lordshipp's sup-
plyants are able to pay the King his saide Highness our bounden dutye and service, ande

wee shall not onelye praye for his graciouse noble estate, but also your Lordshipp's prosperitie with increase of honour long to endure."

The tower of Burgh-by-Sands Church, close to the Solway, was built at the west end of the structure, with walls six feet to seven feet in thickness. A further indication of the desire for security is found in the bottoms of the windows of the church, which were placed eight feet from the ground. Entrance to the fortified tower could only be obtained through a ponderous iron door six feet eight inches high, with two massive bolts, and constructed of thick bars crossing each other, and boarded over with oak planks. As only one person at a time could gain access to the vaulted chamber, there was every possibility of offering effective opposition to attacks, while the ringing of the bells would be the signal for bringing any available help. What was true of one side of the Solway was equally true of the other, there being still traces of fortified churches on the Scottish side of the Firth.

Newton Arlosh Church is another noteworthy example of a building

"Half house of God, half castle 'gainst the Scots,"

though here the bulk of the attention would seem

to have been paid to bodily danger. The doorway was made only two feet six inches wide, and as at Burgh the lowest parts of the windows were placed above the reach of a man's hand—in this case the sills were seven feet from the ground. Light was of less consequence than security, and so the windows were only one foot wide, with a height of three feet four inches.

Though further away from the Border than either of the other churches mentioned, that at Great Salkeld was peculiarly liable to attack by the Scottish raiders, as it occupies a strong position near the river Eden, whose banks seem to have been much used by the undesirable visitors. The tower is in a splendid state of preservation, although necessarily much altered, in detail, from its former condition. There were five floors, that on the ground level being a vaulted room, with a strong door of iron and oak leading into the church. Three small apertures afforded light and opportunities for watching from the first floor, and that room also contained a fireplace. In a footnote in their "Cumberland" volume of "Magna Britannia," the brothers Lysons suggest that Great Salkeld Church might have been fortified about the time that Penrith Castle was

built. There is, however, no direct evidence on the point. Dr. Todd, the former Vicar of Penrith, who was noted for his encounters with his superiors, says in his account of Great Salkeld Church, that in his time there was a place "called the Corryhole, for the correction and imprisonment of the clergy, while the Archdeacon had any power within the diocese."

Prior to the restoration of Dearham Church, the structure possessed numerous features of interest to the antiquary, some of which have necessarily been removed or altered. The lower storey of the tower consisted of a barrel-vaulted chamber, originally enclosed from the church, and entered only by a small and strongly-barred doorway, similar to that at Burgh. When the Antiquarian Society visited Dearham some twenty years ago, the late Canon Simpson drew special attention to this part of the church. He said it had unquestionably "been one of the old massive fortified towers peculiar to the Border district: from it, whilst the parishioners were being besieged, a beacon fire at the top would alarm their friends in the surrounding country." Some oak beams then seen in the tower showed signs of fire, one of them being charred half through.

The lower part of the tower of Brigham Church, only a few miles from Dearham, is strongly vaulted with stone, access being obtained to the chamber above by means of a narrow door and winding stairs. From these features it has been concluded by archæologists that this was one of the old Border fortified churches.

Further away from the Border, into Mid Westmorland, the searcher may still meet with evidences of old-time church builders having a much keener eye for the defensive qualities of their structures than for architectural beauty. Solidity was the first consideration, and although some of them were, after all, but ill adapted for the purpose, they must have been, as the Rev. J. F. Hodgson* once pointed out, "much larger and stronger buildings than the wretched hovels of the common people. Their enclosures would very generally offer the best position for defence. Among the Westmorland churches, those of Crosby Garrett (or Gerard) and Ormside, though small, and not structurally fortified, seem unmistakably posted as citadels. Orton Church, too, both in structure and position, is admirably situated for defence. At Brough, the church, a

* At Kirkby Stephen, September, 1871.

massive and easily defensible building, is situated upon the precipitous bank of the Hellebeck, and forms a sort of outwork of the Castle." The church at Kirkby Stephen certainly occupies a position which would give its occupants a strong hold on the Upper Eden Valley. The old church at Cliburn, on the banks of the Leath, was also probably placed there with some regard to defence. It is believed that the fine old church at Barton was used for a like purpose, and the vicar some time ago pointed out to the writer existing evidences of a large moat having probably been formed in case of necessity, the river Eamont being near enough to ensure an easy means of water supply.

There are preserved in the church of Langwathby two specimens of old Cumberland armour—a helmet and a cuirass. The villagers have versions of their own as to the wearer of these articles, but obviously the stories rest on no better foundation than that of tradition; the real explanation is, doubtless, that given by the late Rev. B. Porteus, and already quoted in the chapter on "Watch and Ward."

Above the tomb of Sir Roger Bellingham (died 1533), in Kendal Church, there is an ancient

helmet suspended, but whether it was put there because the helmet belonged to the knight, or as a memorial of his having been created a knight banneret on the field of battle, there has nothing come to the knowledge of local historians to enable them to decide. The popular name for the helmet, however, is "the Rebel's Cap," and following the account of Machell, who was living at the time, various writers have given different versions of a story which, though doubtless correct in its main points, is open to question on others. The version given by the late Mr. Cornelius Nicholson* may be quoted, as it is the briefest :—

"In the Civil Wars of the Commonwealth, there resided in Kendal one Colonel Briggs, a leading magistrate, and an active commander in the Cromwellian army. At that time, also, Robert Philipson, surnamed from his bold and licentious character, *Robin the Devil*, inhabited the island on Windermere, called Belle Isle. Colonel Briggs besieged Belle Isle for eight or ten days, until the siege of Carlisle being raised, Mr. Huddleston Philipson, of Crook, hastened from Carlisle, and relieved his brother Robert. The next day, being Sunday, Robin, with a small troop of horse, rode to Kendal to make reprisals.

"He stationed his men properly in the avenues, and himself rode directly into the church in search of Briggs, down one aisle and up another. In passing out at one of the upper doors, his head struck against the portal, when

* "Annals of Kendal," 1832.

his helmet, unclasped by the blow, fell to the ground and was retained. By the confusion into which the congregation were thrown, he was suffered quietly to ride out. As he left the churchyard, however, he was assaulted; his girths were cut, and he himself was unhorsed. His party now returned upon the assailants; and the Major, killing with his own hands the man who had seized him, clapped the saddle upon his horse, and, ungirthed as it was, vaulted into it, and rode full speed through the streets, calling to his men to follow him; and with his party made a safe retreat to his asylum on the lake. The helmet was afterwards hung aloft, as a commemorating badge of sacrilegious temerity."

The episode was used by Sir Walter Scott for some particularly spirited lines in "Rokeby" (stanza 33, canto vi.), and in his notes Sir Walter explained that "This, and what follows, is taken from a real achievement of Major Robert Philipson, called from his desperate and adventurous courage *Robin the Devil*." A reference to the poem will show that this, as dealing with fact, can only be applied to the first sixteen lines, which run :—

"The outmost crowd have heard a sound
Like horse's hoofs on hardened ground;
Nearer it came, and yet more near,—
The very death's-men paused to hear.
'Tis in the churchyard now—the tread
Hath waked the dwelling of the dead!
Fresh sod and old sepulchral stone

Return the tramp in varied tone.
All eyes upon the gateway hung,
When through the Gothic arch there sprung
A horseman armed, at headlong speed—
Sable his cloak, his plume, his steed.
Fire from the flinty floor was spurned ;
The vaults unwonted clang returned !—
One instant's glance around he threw,
From saddle-bow his pistol drew.

Mr. Stockdale, in his "Annals of Furness," says there was a tradition in his time that the Parliamentarians in 1643 stabled three troops of horse in the nave of Cartmell Church ; and there can be no doubt that to similar base uses other ecclesiastical structures in the diocese were occasionally put in turbulent times. Carlisle Cathedral was often used for purposes of war, and it was not free from other exciting scenes. During the Commonwealth it was the centre of much rioting. George Fox preached there, and files of musketeers had to be brought in to clear the place of the rioters. After the ill-fated rebellion of '45, the cathedral was still further degraded, being made into a prison for captured Highlanders.

Some Church Curiosities.

UNDER a great variety of divisions many curious facts connected with the old-time churches of the northern counties might be noted that cannot here be touched upon. Some of them—especially those associated with the personal aspect—had their origin solely in the circumstances of the time; others may be traced to personal idiosyncracies; while geographical reasons may be found for a third class. With a few exceptions it has not been deemed necessary in this chapter to go beyond the Reformation. Among the records concerning Kendal Church is a reference in the Patent Rolls of 1295, in which Walter de Maydenestane is described as “parson of a moiety of the church of Kirkeby, in Kendale.” An inquiry in *Notes and Queries** brought the suggestion that probably this was one of the places which used to have both a rector and a vicar, several instances of that arrangement having been in force being mentioned. No information was, however, forthcoming as to the Kendal case.

* 8th series, vol. 9, 1896.

Boy bishops are not unknown, and Westmorland affords an instance of an infant rector, the following appearing in the list for Long Marton, as compiled by Dr. Burn :—" 1299. John de Medburn, an infant, was presented by Idonea de Leyburne, and the Bishop committed the custody of the said infant to a priest named William de Brampton, directing him to dispose of the profits of the rectory in such manner as to provide for the supply of the cure, and the education of the young rector in some public school of learning." If John de Medburn ever took up the duties of his office, it could not have been for any extended period, as another rector was instituted in 1330.

There was a curious dispute at Holme Cultram in 1636. The Rev. Charles Robson, who five years previously had become vicar, being a bachelor of divinity, demanded that the parish should provide him with a hood proper to his degree. The parishioners objected on the ground that such a claim had never been made before, the previous vicars having provided their own hoods, and that Mr. Robson had on all proper occasions, as required by the canons, worn a hood of his own until within half a year of the dispute arising. A

case was stated and a legal opinion taken; the result was entirely against the vicar, who made his position worse, inasmuch as it was laid down that while the churchwardens were not to provide the hood, they could be the means, through the ordinary, of compelling a priest who was a graduate to wear his hood, according to the 58th canon. Another instance of a clergyman going to law with his parishioners was that of the Rev. John Benison, vicar of Burton, who was dissatisfied with the payments of the vicarial revenues. The dispute found its way into Chancery, and Benison, in 1732, secured the following scale of payments:—"For burial in the church or churchyard shall be paid 1s., except for women who die in childbirth, for whom nothing is due. The modus for tithe lands shall be double for the two first years after the induction of a new vicar, and every person keeping a plough shall pay yearly 1d. in lieu and full satisfaction of agistment of barren cattle."

Bishop Nicolson has left some curious pictures of the parsons in the diocese of Carlisle at the time when he made his visitation in the early years of the eighteenth century. The clergy of that time were for the most part not remarkable

for their learning, although there were some notable exceptions. These were the victims of circumstances; they lived in what was really a dark age, and no one can feel surprised that so many gave way to drinking and other unclerical habits. Several, either openly or in the names of their wives, kept ale-houses; there was one rather glaring instance of this kind on the western side of Cross Fell. Poverty was continually their share; an instance of the life some of them led is recorded by James Clarke,* of Penrith:—

“Langdale is as poor as any in these parts, except for the slate quarries, and the slaters (like the miners in Patterdale) debauch the natives so far that even the poor curate is obliged to sell ale to support himself and family. And at his house I have played ‘Barnaby’ with him on the Sabbath Day morning, when he left us with the good old song—

‘I’ll but preach, and be with you again.’”

William Litt (1785-1847), the author of “Henry and Mary,” a story of West Cumberland life, which was very popular a generation ago, says:—“It is a well authenticated fact that a rector of Arlecdon left his pulpit for the purpose of bestowing manual correction on one of his parishioners, whom he conceived was then insulting

* “Survey of the Lakes,” 1789.

him. The surplice, however, was such an impediment to his usual lightness of foot that his intended victim, after a severe chase, effected his escape, and for that time eluded the chastisement intended for him by his spiritual pastor." Although nothing is known as to the identity of the cleric who thus endeavoured to deal with a supposed offender, possibly it was Thomas Baxter, who was incumbent for 62 years (1725 to 1787). He figures by name in "Henry and Mary," and is represented as on one occasion reprimanding Squire Skelton, of Rowrah, very severely for swearing.

In 1653 George Fox, the founder of the Society of Friends, visited Cumberland. One Sunday afternoon he entered the church, and standing on a seat, he preached three hours to an overflowing congregation; he says in his journal, "Many hundreds were convinced that day." A short time afterwards he again visited the church on a Sunday morning, and entered into a long theological argument with Mr. Wilkinson, the vicar, who lost his dinner in consequence. The discussion continued almost to nightfall; the result seems to have been the conversion of the vicar and the majority of his congregation, as it is on

record that Mr. Wilkinson afterwards became a distinguished minister of the Society of Friends.

The old customs peculiar to Cumberland and Westmorland of “Whittlegate” and “Chapel Wage” have long since passed out of the list of obligations imposed, although the rector of Brougham might still, if he wished, claim whittlegate at Hornby Hall every Sunday. The parsons of the indifferently educated class already alluded to had to be content with correspondingly small stipends, which were eked out by the granting of a certain number of meals in the course of twelve months at each farm or other house above the rank of cottage, with, in some parishes, a suit of clothes, a couple of pairs of shoes, and a pair of clogs. Clarke gives the following explanation of the origin of the term :—

“Whittlegate meant two or three weeks’ victuals at each house, according to the ability of the inhabitants, which was settled among themselves ; so that the minister could go his course as regularly as the sun, and complete it annually. Few houses having more knives than one or two, the pastor was often obliged to buy his own knife or ‘whittle.’ Sometimes it was bought for him by the chapel wardens. He marched from house to house with his ‘whittle,’ seeking ‘fresh fields and pastures new,’ and as master of the herd, he had the elbow chair at the table head, which was often made of part of a hollow ash tree—

a kind of seat then common. The reader at Wythburn had for his salary three pounds yearly, a henipen sark or shirt, a whittlegate, and a goosegate, or right to depasture a flock of geese on Helvellyn. A story is still (1789) told in Wythburn of a minister who had but two sermons which he preached in turn. The walls of the chapel were at that time unplastered, and the sermons were usually placed in a hole in the wall behind the pulpit. One Sunday, before the service began, some mischievous person pushed the sermons so far into the hole that they could not be got out with the hand. When the time came for the sermon, the priest tried in vain to get them out. He then turned to the congregation, and told them what had happened. He could touch them, he said, with his forefinger, but could not get his thumb in to grasp them ; ‘But, however,’ said he, ‘I can read you a chapter out of Job that’s worth both of them put together !’ ”

There may be other instances of the formal appointment of females to undertake church work usually performed by the other sex, but the writer has only met with one local example, which occurs thus in the Kendal churchwardens’ accounts :—
 “1683, June 29. It is then agreed & consented too by the major part of the churchwardens that Debora Wilkinson shall be continued saxton till next Easter, she keeping under her so sufficient a servant as shall please the Vicar & whole parish & she to give sufficient security to the churchwardens for her fidelity. As alsoe it was then

granted by the major parte of church wardens that the said Debora Wilkinson for her paines herein shall have & receive to her owne use for every coffin in the church 2s. 6d. (she or her deputy in takeing up of fflaggs in the church or lying them downe to place them leveally & in good order, breaking none of them), and the said Debora or her servant shall make clean the church att all times according to the Vicar's order, and to keepe the font wth faire water, changeing itt every fforthnigh or as often as the Vicar pleaseth."

The uses of some parts of ancient buildings have puzzled gentlemen thoroughly acquainted with church architecture, for the simple reason that certain of the arrangements might have been made for a variety of purposes. Leper windows are perhaps sufficiently numerous to show the intention of the builders, but there are instances where that is not at all easy to define. The side windows in Bolton Church, near Wigton, one of which has been described by the Rev. Hilderic Friend as a leper window, was suggested by the late Mr. Cory as being "for such a purpose as giving out alms or receiving confession," as they always had hinges and bolts for shutters, but not

glass. Chancellor Ferguson put forward the further theory that as lepers could not come into the church, they made confession at these windows. Dr. Simpson rejected these statements, and said that lamps were placed in the low side windows of some churches after funerals to scare away evil spirits—an interesting addition to North-Country folk-lore. Leprosy was apparently a serious trouble in the two counties five or six centuries ago. John de Vetripont gave to Shap Abbey the hospital of St. Nicholas, near Appleby, on condition that the abbot and convent should maintain three lepers in the hospital for ever. In 1356 Sir Adam, rector of Castlekayroke (Castle Carrock), was cited to show cause why, being seized with leprosy to such a degree that his parishioners dare not resort to divine service, he ought not to have a coadjutor assigned him.

There are still to be found traces in some of the older churches of the rooms of anchorites. Experts have stated that the vestry at Greystoke seems to have been used as an anchor-hold or reclusorium. It is believed that two reclusi, or inclusi, sometimes dwelt together there, one living in the vestry and the other in the room above. The latter apartment may have been used for a

chantry priest, a church watcher, or a sacristan. Among the architectural curiosities of the two counties may be noted the church tower of Kirkoswald. The parish church is built at the foot of a steep hill, facing the Eden, while the old market town is on the sharply rising ground at the rear. The parishioners would thus have but a small chance of hearing the bells when sounded for service if they occupied the ordinary place. Consequently for a very long time—certainly before the present church was built—the two bells have been placed in a detached tower on the top of the hill at the rear of the church, and over a hundred yards away from the building.

Many ecclesiastical buildings, from the cathedral down to the humblest village chapel-of-ease, would seem to have had curious inscriptions or pictures upon their walls. Nearly all these have disappeared, and later comers are indebted for their knowledge of what has been to such industrious chroniclers as Machell, Burn, and others. The former put on paper in 1692 the following lines, which were on the walls of the south chapel of Kirkby Lonsdale Church :—

C.	(Arms)	W.
16		68.

"This porch by ye Banes first builded was,
 Of Heighholme Hall they weare ;
 And after sould to Christopher Wood,
 By William Bains thereof last heyre ;
 And is repayred as you see,
 And set in order good
 By the true owner nowe thereof
 The fore saide Christopher Wood."

As in our own day the restoration or alteration of a church frequently caused much ill-feeling in a parish, and there are records of several such "scenes" in Cumberland and Westmorland in bygone days. One such was at Sebergham, where the church was rebuilt in 1825-6, and a tower built at the west end. On the first Sunday that the edifice was opened the following protest in rhyme was found nailed to the church door :—

"The priest and the miller built the church steeple
 Without the consent or good will of the people.
 A tax to collect they tried to impose
 In defiance of right and subversion of laws.
 The matter remains in a state of suspension,
 And likely to be a sad bone of contention.
 If concession be made to agree with us all
 Let the tax be applied to build the church wall.

Churchyard wall now in a ruinous state. Sebergham High Bound, July 12, 1826."

While dealing with the architectural curiosities of North-Country churches, allusion should be

made to a story connected with that at Ambleside. A piece of painted glass on the north side of the old church has a representation of what is locally known as the carrier's arms—a rope, a wantey-hook, and five packing pricks, or skewers, these being the implements used by the carriers and wool staplers for fastening their packing sheets together. The tradition is that when the church needed rebuilding, together with the chapels of St. Mary Holm, Ambleside, Troutbeck, and Applethwaite, which were all destroyed or rendered unfit for divine worship, the parish was extremely poor; the parishioners at a general meeting agreed that one church would serve the whole. The next question was, where it should stand. The inhabitants of Undermillbeck were for having it at Bowness. The rest thought that as Troutbeck Bridge was about the centre of the parish, it should be built there. Several meetings in consequence were held, and many disputes and quarrels arose. At last a carrier proposed that who ever would make the largest donation towards the building should choose the situation of the church. An offer so reasonable could hardly be refused, and many gifts were immediately named. The carrier, who had acquired a

fortune by his business, heard them all, and at last declared that he would cover the church with lead. This offer, which all the rest were either unable or unwilling to outdo, at once decided the affair. The carrier chose the situation, and his arms (or more properly his implements) were painted on the north window of the church. Tradition adds that this man obtained the name of Bellman, from the bells worn by the fore-horse, which he first introduced there.

Several instances of fonts having found their way from churches to private grounds have been made known during recent years, one being at Penrith, and others at Musgrave and Brough-under-Stainmore. On the western side of the county, in the grounds of Mr. T. Dixon, Rheda, is the ancient font, dated 1578, belonging to Arlecdon Church. In the third decade of this century, says the Rev. H. Sugden in his notes on the history of the parish, it was acting at a farm-house as a trough to catch rain-water from the roof. Subsequently the font was found by Mr. Dixon in a stone wall at Rowrah Hall, and was removed to its present place of safety. It seems that the contractor who rebuilt the church in 1829, was allowed to use or dispose of any of

the material or contents. The font and an ancient tombstone of the Dixons, were sold by him, and while the font was made into a water-catcher, the tombstone found its way to a farm at Kirkland, where it was utilised as a sconce in the dairy. Occasionally churchwardens were guilty of what would seem to have been vandalism. At Kirkby Lonsdale (1686), they recorded the last of a Norman font:— “Received for the old font stone, 6d.”

Among the regulations made by the Head Jurie of Watermillock in 1627 was this:—“Item, It is ordered by the jurie that every tennent of this parish shall sitt in church in their own seats that hath formerly been set forth to their ancestors. And if any have a desire to sitt in the Lady Porch, besides such as have their ancient Rooms therein, they shall sitt there paying yearly for the same to the use of the Church ijd. p^r Annum.” The churchwardens were evidently kept close to their duties by the same authority, as may be seen by this entry in the book:— “It is ordered that the Churchwardens of this Parish shall not be discharged of their office in any year before the Church Stock be fully answered at the sight and judgment of the Head Jury for the time being.”

This action probably had its origin in the losses of public funds which had to be deplored in many parishes in consequence of the money being lent out at interest. "Culyet" is not a word to be found in the standard dictionaries of our time, although it appears in the parochial records of Millom. Canon Knowles took the word to mean the free-will offerings made from house to house, being used at Christ Church, Oxford, as the equivalent of "collecta," a collection. In some of the parishes which lent out church funds, rather heavy rates of security were exacted—at Millom the arrangement was seven and a half per cent. Hence there can be no room for surprise that so many parishes have had reason to deplore "lost stock."

Crosthwaite differed from other places in the manner of selecting and swearing the churchwardens and sidesmen, the form being settled by the Commissioners for Ecclesiastical Causes in Queen Elizabeth's time. They decreed "That yearly, upon Ascension Day, the vicar, the eighteen sworn men, the churchwardens, the owner of Derwentwater estate, the sealer and receiver of the Queen's portion at the mines, one of the chiefest of the company and fellowship of

the partners and offices of the minerals, then residing at Keswick, the bailiffs of Keswick, Wythburn, Borrowdale, Thornthwaite, Brundholme, and the forester of Derwent Fells, shall meet in the church of Crosthwaite, and so many of them as shall be there assembled shall choose the eighteen men and churchwardens for the year ensuing, who shall on the Sunday following before the vicar take their oath of office."

The seating of the men and women on different sides of the church was a proceeding once so common as to almost remove it from the list of curiosities. The churchwardens' books of Crosthwaite contain very minute orders as to where every person in the parish should sit, and in other places a similar rule obtained. In these days of "free and open churches" it is interesting to read of the arrangements which the churchwardens and vicar made so as to allocate every seat in St. Patrick's Church, Bampton, in 1726. The rule appears to have been based on the land tax, and the list begins with "The Lord Vis. Lonsdale," who had one complete stall for the use of the tenants of Bampton Hall, another for Low Knipe, and other seats elsewhere. The whole of the inhabitants seem to have been provided for, the

catalogue concluding with a statement of the accommodation set apart for the school-master of Measand and the school-dame at Roughill; the master at Bampton Grange, being an impropiator, found a place among the aristocracy on "the Gospel side" of the chancel.

Some quaint entries concerning the provision and cost of wine for sacred purposes—and for other uses not always answering that description—are to be met with in several of the parochial records. In the vestry book of Cockermouth is this entry for June, 1764 :—"Ordered that all the wine for the communicants be bought at one house where the Churchwardens can get it the best and cheapest. Ordered that no wine be given to any clergyman to carry home." At one of the meetings of the Cumberland and Westmorland Antiquarian Society, the late Canon Simpson produced a paper which showed that very heavy sums, comparatively, had been spent at Kendal in providing Communion wine. One item was for £6, another £9, and again £11, while opposite one of the entries was the remark: "That is exclusive of wine used at Easter." It was customary for the vicar or rector to give the Easter Communion wine, receiving in return

Easter dues. On another occasion, when the Bishop of Chester was to visit the church, the wardens ordered a bottle of sack to be placed in the vestry.

An interesting ceremony has long been gone through at Dacre Church in connection with the distribution of the Troutbeck Dole. The principal representative of the family now living is Dr. John Troutbeck, Precentor of Westminster. The Rev. Robert Troutbeck, in 1706, by his will gave to the poor of Dacre parish, the place of his nativity, a sum of money, the interest of which was ordered to be "distributed every year by the Troutbecks of Blencowe, if there should be any living, otherwise by the minister and churchwardens for the time being." A more curious proviso was contained in the will of John Troutbeck, made in 1787. By that document £200 was left to the poor of the testator's native parish, and the interest was ordered to be "distributed every Easter Sunday, on the family tombstone in Dacre churchyard, provided the day should be fine, by the hands and at the discretion of a Troutbeck of Blencowe, if there should be any living, those next in descent having prior right of distribution. If none should be living that would distribute the

money, then by a Troutbeck as long as one could be found that would take the trouble of it ; otherwise by the minister and churchwardens of the parish for the time being ; that not less than five shillings should be given to any individual, and that none should be entitled to it who received alms, or any support from the parish." The custom was carried out in due form on the "through-stone" last Easter.

Kirkby Stephen, up to about sixty years ago, had a very curious custom—the payment, on a fixed day every year, upon a tombstone still in the churchyard, of the parishioners' tithe. The late Mr. Cornelius Nicholson, in a now scarce pamphlet on Mallerstang Forest, gave the following account of the observance :—

"The tombstone is unhewn millstone grit, covered with a limestone slab, whereon a heraldic shield was once traceable, supposed to indicate the ownership of the Whartons. Tradition says, however, that it is older than the tombs in the Wharton Chapel. Among the parishioners it went popularly by the name of the great 'truppstone,' a corruption perhaps of 'through-stone.' It is certain, however—and this is the gist of the story—that for generations, time out of mind, the money in lieu of tithes of hay was here regularly paid to the incumbent of the church on Easter Monday. The grey coats of this part of Westmorland assembled punctually as Easter Monday came round, and there and then tendered to the

vicar their respective quotas of silver. Some agreement, oral or written, must have been made between the parties, which does not now appear. The practice became the law of custom. The payment was called a *modus in lieu* of hay tithe. I find that when Lord Wharton purchased the advowson at the dissolution of monasteries the tithes of corn and hay were excepted from the conveyance, which points to this customary *modus* on the 'truppstone.' If this reference be correct, the curious custom dates back to the time of Henry the Eighth, and perhaps farther back, and gives it a continuance of some 300 years.

"We don't know its origin, but we do know its extinction. When the Rev. Thomas P. Williamson became vicar, in the first decade of this century, a quarrel arose between him and the tithe-payers as to this *modus*. Law proceedings were threatened, and some preliminaries were taken. The parishioners, notwithstanding, attended on Easter Monday as before, and tendered their doles. The vicar also attended, but determinedly refused the money, until his death in 1835, which put a stop to the custom. After his death, the vicar's widow set up a claim for the arrears, which had been offered and refused, so she took nothing by her motion. In 1836 all the tithes were commuted in England, under the provision of the Tithes Commutation Act, carried into execution by a Cumberland M.P., Mr. Aglionby, whom I knew very well, in Lord John Russell's Ministry. These particulars of the 'truppstone' were furnished me by Mr. Matthew Thompson, Kirkby Stephen, one of the county magistrates, who himself—and this clenches it as a fact—yearly attended in the churchyard, with his quota, and who was present on the very last occasion."

An incident which in some respects has had at

least one counterpart within recent years is recorded as happening at Little Salkeld towards the end of the fourteenth century. The little chapel there was "desecrated and polluted by the shedding of blood," and as the parish church of Addingham was a considerable distance, the vicar was allowed to officiate in his own vicarage-house "till the interdict should be taken off from the chapel."

There is a curious story attaching to some of the wood-work of Greystoke Church. The misereres under the choir stalls are very quaintly carved, and one of them, "the pelican in her piety," was for many years used as the sign of an inn near the church. From this circumstance the hostelry lost its old name, the "Masons' Arms," and acquired the modern one of the "Pelican."

Although schools in churches were very common, the holding of Courts in such buildings could not have been frequent. At Ravenstone-dale, where numerous customs peculiar to the parish or immediate district prevailed, the people had a strong belief in home rule, and insisted on having it. In the old church there were two rows of seats below the Communion table, where the steward of the manor and jury sat in their Court

of Judicature in the sixteenth century. The malefactors were imprisoned in a hollow arched vault, the ruins of which were to be seen not much more than a quarter of a century ago on the north side of the church. There was so much wrangling over cases, and the manifestation of such a bad spirit, which the parishioners felt was unbecoming and unsuited to such an edifice, that they petitioned Lord Wharton, the lord of the manor, to have the trying of cases removed to a house belonging to him which stood near the church. This was granted, and subsequently the Court was held in the village inn and other places.

“A gentleman who carries out archidiaconal functions,” is the familiar, though vague, definition of an archdeacon in our own time, but a couple of centuries ago that church official had very definite duties and powers. As Mr. G. E. Moser, solicitor, Kendal, once reminded the members of the two counties’ Archæological Society, the visits of the Archdeacon of Richmond to Kendal—where he sentenced offenders from his chair of state erected in the High Quire—were looked forward to with awe and reverence. The churchwardens’ books contain the following among other entries :—“Paid for bent to strawe in the High

Quire against Sir Joseph [Cradock] came." "Paid to the Churchwardens, which they laid out when they delivered their presentments to Sir Joseph Cradock." "Paid for washing and sweeping the Church against Sir Joseph's coming to sitt his Court of Correction, which was the 7 July, 1664." "At the peremptory day, being the 18th day of October, 1664, the general meeting of the churchwardens, whose names are herunder written doth order that Geo. Wilkinson shall keep the clock and chimes in better order, and shall keep swine out of the churchyard, and whip the dogs out of the church in time of divine service and sermon, and remove the dunghill and the stable-door which opens into the churchyard before the next peremptory day, and reform all abuses belonging to his office, or else the Churchwardens will make complaint so that it shall be referred to the ordinary."

Chancellor Ferguson told the members that he had found in some documents, relating to an unnamed Cumberland church, an order that no swine should be allowed in the churchyard unless they had rings in their noses! There are many reminders available of the days when rushes or other growths were put on church floors, by such

entries as that in Waberthwaite registers, dated 1755 :—"Bent bought, 12d." At Millom there are charges for dressing the church. Between 1720 and 1783 there are several entries in the Hawkshead registers with reference to "strawing the church"—meaning the covering of the floor with rushes. There are also here, as at Penrith and some other places, allusions to payments for collecting moss, with which the rain was often kept out of the churches.

It was, even within the last half century, a common occurrence for dogs to accompany their owners to church, but the officials did not appreciate the custom. Mr. John Knotts, in 1734, left an estate at Maulds Meaburn for the use of the poor of the township, from which five shillings yearly had to be paid for keeping dogs out of Crosby Ravensworth Church. The legality of the will was disputed on a technicality, and the heir-at-law paid a sum of money instead, which was invested, but how long the crown was paid for anti-dog purposes is not known. The Rev. J. Wilson wrote in his parochial magazine a few years ago :—"In the olden days in Dalston there was an officer whose duty it was to whip dogs out of church during service time, and, strange as it may

seem, the custom under another name and in somewhat altered guise existed till the old church was demolished in 1890. The parish dog-whipper had £1 a year for his salary during the latter portion of the 18th century, when the duties of the office were extended to other matters. In the parish accounts the following entry occurs: 'May 3, 1753 John Gate for whipping the Dogs out of church, opening and shutting ye sashes, sweeping ye church &c. for one year, £01 00 00.' The same entry occurs regularly every year till 1764, when his widow undertakes the job: 'May 6th 1764 Wid: Gate for whipping ye Dogs out of ye church, opening and shutting ye sashes, sweeping ye church £01 00 00.' The office of dog-whipper continues to be mentioned every year till 1774, when it disappears, and the entry is changed to: 'May 1, 1774, Wid: Gate for cleaning ye church £01 00 00.' The church records show that at Penrith an annual payment of two shillings was made for many years to the dog-whipper. Among the items bearing on church expenses contained in the Torpenhow registers in 1759, was an annual allowance of 5s. to the sexton for whipping dogs out of the church, and that he might the more efficiently do his work he was

granted an extra allowance of 3d. for a whip and 2d. for a thong. There is an item in the Wabertwaite records which runs :—" According to the canons laity sett down, four sydmen [synodsmen] are to be appointed every year, one of whose duties is to keepe the dogges out of the chirche, 1605." At Hawkshead a dog-whipper was provided from 1723 to 1784. If the following paragraph, which appeared in the *Cumberland Pacquet*, in January, 1817, may be believed, there was at least one dog which would not incur the wrath of either parson or dog-whipper :—" Mr. William Wood of Asby, parish of Arlecdon, has a cur dog which for these four years past has regularly attended church, if within hearing of the bells; and what is more singular, the animal never misses going to his master's seat whether any of the family attend or not."

Manorial Laws and Curiosities of Tenures.

NO doubt because of the proximity of the district to the Border, the tenures by which certain properties were held in Cumberland and Westmorland must be regarded as quite local in their character. The observances are, of course, all the more interesting on that account, and even in cases for which parallels are to be found in other parts of the kingdom, little peculiarities may sometimes be seen in local instances which throw light on the former habits of the people. Lords of manors were once individuals possessed of great powers. The lords of Millom held their property for hundreds of years, and had *jura regalia* within the seignory, in memory of which a modern stone erected at Gallow, half a mile below Millom Castle, has the inscription,

“ Here the Lords of Millom exercised *jura regalia*.”

The lord of the manor of Troutbeck, Windermere, is also believed to have formerly exercised a jurisdiction over capital offences.

Where such powers existed, it is by no means

surprising that the homage exacted from tenants and servitors on various occasions was of a character that in modern days would be regarded as extremely degrading. Thus when a free tenant went to his lord's residence to do homage according to custom and duty, he was ushered into the presence of his superior without sword or other arms, and with his head uncovered. The lord remained seated, and the tenant with profound reverence knelt before the great man. With his clasped or joined hands placed between those of the lord, the homager repeated the following vow, which seems to have been in practically the same terms in various manors :—" I become your man from this day forward, for life, for member, and for worldly honour, and unto you shall be true and faithful, and bear you faith for the lands that I hold of you, saving the faith that I owe to our Sovereign Lord the King." The lord, still sitting, then kissed the tenant, as a token of his approbation. In Cumberland and Westmorland there are several villages named Carleton, this being one of the reminders of the days of serfdom. The carls were simply the basest sort of servants—practically slaves.

The former servile condition of the poor in the

neighbourhood of barons' houses is also preserved in such names as Bongate, or as it was always written in old documents, Bondgate, at Appleby. In the great trial between the Cliffords and the burghers, when the former claimed the services of the freemen, it was decided that neither Robert de Vetripont nor any of his heirs ever had seizin of the borough, where the burgesses lived, but that King John gave to him "*Vetus Apilbi ubi villani manent*"—"Old Appleby, where the bondmen dwell." The bondmen, or villeins, were probably of the same social standing as those known as drenges, the Cliffords having very many drengage tenements in various parts of their Sheriffwick. "The drenges were pure villeins—doubtless Saxons kept in a state of the vilest slavery, being granted by the lords of the manor, with a piece of land, like so many oxen. In fact they were as much the property of the lord of the manor as the negroes in the West Indian Colonies were formerly the property of the sugar planters. It is probable that the drenges were employed to perform all the servile and laborious offices at Brougham Castle; for in 1359, Engayne, lord of Clifton, granted to Roger de Clifford, by indenture, the service of John Richardson, and several others

mentioned by name, with their bodies and all that belonged to them." *

In the reign of Richard the First there was given to the church of Carlisle, "lands in Lorton, with a mill there, and all its rights and appendages, and namely the miller, his wife, and children"—apparently clear evidence of the servitors being regarded as part of the property.

Several manorial lords claimed for their tenants the right to go toll-free throughout England. This was the case with Armathwaite, while the privilege also pertained to the prioress and nuns at Nunnery. The manor of Acorn Bank, near Temple Sowerby, used to have the right, or rather the privilege was claimed. In the time of the late Mr. John Boazman (the immediate predecessor of Mr. Henry Boazman, the present owner), the following was written:—"The lords of this manor can still claim and exercise for themselves and tenants all the privileges granted to the Knights Templars, the most important of which is exemption from toll throughout England. The tenants when travelling carry a certificate, signed and sealed by the lord of the manor. This certificate, after reciting part of the old charter,

* Sayer.

concludes as follows :—‘ Which charter [that of Henry the Second] was confirmed by King Charles of England, Scotland, and Ireland, in the fourth year of his reign, in witness whereof I, the said John Boazman, as lord of the manor, have executed and set my manorial seal.’ ” The burgesses of Appleby also possessed under their early charters privileges of a like character, and these would doubtless be of very appreciable value.

The ancient family of Hoton, or Hutton, were by Edward the Third, in consideration of the service rendered to him by Thomas de Hoton in the wars against Scotland, restored to the bailiwick and office of keeping the King’s land or forest in Plumpton, which was first bestowed upon them prior to the time of Edward the First. It is believed that this led to the family taking a horn as their badge. Besides the monetary payment of something under £2 yearly, it was found in the reign of Henry the Seventh that the lands were also held by the service of holding the stirrup of the King’s saddle while his Majesty mounted his horse in the Castle of Carlisle. The adjoining manor of Newton Reigny was held in the early days of the Lowthers by the service of finding for the King in his wars against Scotland one horseman with

a horse of the value of forty shillings, armed with a coat of mail, an iron helmet, a lance, and a sword, abiding in the war for forty days with the King's person. At a later date the terms were varied ; there was then the paying of two shillings per annum for cornage, and the providing, for the King's army, "one horseman with habiliments, one lance, and one long sword." Penrith and five other manors were once held by the Kings of Scotland by paying one soar-hawk yearly to the constable of the Castle of Carlisle, with some privileges concerning rights in Inglewood Forest. The manor of Cargo, near Carlisle, was held for many generations by the family of de Ross, by the rendering of a hawk or a mark of silver yearly. When the same manor was the property of the Lacys, it was held by cornage, and afterwards by the Vescys for a mew'd hawk yearly in lieu of all services.

In the manor of Gaitsgill and Raughton were twenty-two freehold tenants in 1777, who paid 28s. 8¾d. yearly free rent, did suit and service at the lord's court when called upon, and paid yearly to the Duke of Portland as chief lord of the Forest of Inglewood £2 13s. 2d., besides sending a man to appear for them at the Forest Court at Hesket

every St. Barnabas's Day, and that representative was to be on the inquest. This manor was at the Conquest "all forest and waste ground," and was enclosed by one Ughtred, who held of the King "for keeping the eyries of hawks which bred in the Forest of Inglewood." The posterity of Ughtred took their surname from Gatesgill, and adopted the sparrowhawk for their cognisance. The neighbouring manor of High Head (Higheved) was held of Edward the Third by William English by the service of one rose yearly. Later, in the time of Henry the Eighth, it was held by William Restwold as an approvement of the forest by fealty and the service of rendering at the King's exchequer of Carlisle one red rose yearly at the feast of St. John the Baptist.

In the reign of Philip and Mary, Alexander Armstrong was granted a considerable amount of property, including a mill, in the parish of Gilcrux, at a very low rental, on condition of finding and maintaining five horsemen "ready and well-furnished, whenever the King and Queen and the successors of the Queen shall summon them within the county." In documents belonging to the abbey of Holme Cultram, whereby Flemingby (now known as Flimby, between Maryport and

Workington) was handed over to the monks, Gospatric, the donor, inserted a clause that he would himself do for the monastery "noutegeld and the like due to the King; and also to the lord of Allerdale of seawake, castleward, pleas, aids, and other services." The nutgeld tax—an impost apparently peculiar to the Border counties—was even last century frequently enforced in Cumberland and Westmorland.

The custom of providing for gilt spurs was of a practical kind, the articles being peculiarly useful to the grantor. "Every knight (who served on horseback) was obliged to wear gilt spurs; hence they were called *equites aurati*." The reservation, by Gospatrick, of homage to be performed by William de Lancastre has provided some interesting questions for past generations of historians and antiquaries. William de Lancastre the second gave thirty marks to the King that he might have the privilege of fighting a duel with Gospatrick, and the theory propounded was that this contest was caused because "the tenant's proud spirit could not brook such a humiliation as that of doing homage." Remembering the conditions of life, the supposition is not at all improbable, for what man of good birth would

care to submit to perform the service described in the second paragraph of this chapter? In the same parish of Kirkby Lonsdale, William de Pickering had the manor of Killington granted to him for the yearly payment of a pair of gilt spurs, or sixpence, at the feast of Pentecost, and the service of the twentieth part of one knight's service when occasion should require.

Alice Lucy, a member of the once very powerful family of that name, reserved out of Wythop a penny rent service, or a pair of gloves ; and a long time afterwards it was found that Sir John Lowther, knight, held the same manor "by homage, fealty, and suit of court at Cockermouth . . . and the free rent of one penny or one red rose." The manor, now held by Sir Henry R. Vane, Bart., Hutton-in-the-Forest, was subsequently sold to the Fletchers under the services just mentioned. In addition to a heavy fine, and a rental of £10 yearly, Thomas de Multon paid "one palfrey for the office of forester of Cumberland," granted to the family by King John. One of Multon's ancestors, Richard de Lucy, also gave money and a palfrey in order to obtain the grant and other privileges.

At Hesket, yearly, on St. Barnabas's Day, by

the highway side under a thorn tree (according to the very ancient manner of holding assemblies in the open air), wrote Nicolson in 1777, was kept the Court for the whole forest of Inglewood, to which Court the manors within that vast circumference (above twenty in number), owed suit and service; and a jury was there impannelled and sworn for the whole forest. It is a shadow or relic of the ancient Forest Courts; and here they pay their compositions for improvements, purprestures, agistments, and puture of the foresters, and the jurors being obliged to attend from the several manors, seems to be part of that service which was called *witnesman*. "Improvements" in this case means permission to take up open lands belonging to the manorial lord.

Horn tenures, locally known as cornage, were common. At Brougham Hall is preserved the old and quaintly fashioned horn which was sounded by the former owners of the estates in complying with the requirement to blow a horn in the van of the King and his army, when the monarch went into Scotland, or at other times when the Scots made incursions to the southern side of the Border. An interesting relic of the same description is possessed at Carlisle—the

“Horn of the Altar.” The Charter Horn has thus been described by Archdeacon Prescott :—

“In the year 1290 a claim was made by the King, Edward the First, and by others, to the tithes on certain lands lately brought under cultivation in the Forest of Inglewood. The Prior of Carlisle appeared on behalf of his convent, and urged their right to the property on the ground that the tithes had been granted to them by a former King, who had enfeoffed them by a certain ivory horn which he gave to the Church of Carlisle, and which they possessed at that time. The Cathedral of Carlisle has had in its possession for a great number of years, two fine walrus tusks, with a portion of the skull. They appear in ancient inventories of the goods of the cathedral as ‘one horn of the altar in two parts,’ or ‘two horns of the altar’ (1674), together with other articles of the altar furniture. But antiquaries came to the conclusion that these were identical with the ‘ivory horn’ referred to above. . . . Such Charter Horns were not uncommon in ancient days.”

Blackmail used to bear a significance not fully understood by the modern use of the word. In the north of England it signified, especially in

Cumberland, a certain rent of money, corn, or other things, anciently paid to persons inhabiting upon or near the Border, being men of name and power, allied with certain robbers within those counties, to be freed and protected from the devastations of those depredators. By 43 Elizabeth, cap. 13, it was provided that to take any such money or contribution, called blackmail, to secure goods from rapine, was made capital felony, as well as the offences such contribution was meant to guard against. Tenants in those old times had nearly all the privileges of paying ; their opportunities for getting anything without cash or labour were few. One such concession which they enjoyed was "plowbote," being the right of tenants to take wood to repair their ploughs, carts, and harrows ; and for the making of such articles of husbandry as rakes and forks. Fire-bote was the term applied to a right enjoyed by many tenants, being the fuel for firing, and obtainable out of the lands granted to them. Timber-lode was a service by which tenants were to carry to the lord's house timber felled in his woods. The Dean and Chapter of Carlisle were formerly obliged to provide the tenants of the manor of Morland with wood for the reparation of

their houses. This was released by an endowment of £16 per annum, being given by the Dean and Chapter to the school.

Boon services of all kinds were common in all the manors along what is known as the eastern fell side—the base of Cross Fell, and north and south thereof. Before they were enfranchised by Sir Michael le Fleming, the tenants of Skirwith had to supply such boons as reaping, mowing, ploughing, harrowing, carrying coals, and spinning a stipulated number of hanks of yarn. Up to the latter half of last century each tenant of the manor of Threlkeld was obliged to find half a draught for one day's ploughing; give one day mowing, one day shearing, one day clipping, and one day salving sheep; one carriage load once in two years, but not to go above ten miles; and to dig and lead two loads of peats every year, the tenants to have sufficient meat and drink when they performed these services. The cottagers were to perform the same services, only instead of half a plough they were to find one horse with a harrow, and a footman instead of a carriage load. The tenants were also bound to the lord's mill, pay the fortieth corn, and to maintain the wall and thatch of the mill. The tenants had house-boot (wood

for repairing their houses) as set out by the lord's bailiff; peats, turves, ling, whins, limestone, and marl, with stones and slate for building. About 1764, half the tenants bought off these services at a cost of five guineas each, the mill service only excepted. The tenements paid twopence each yearly as greenhue rent, an impost which was once a common payment by Cumberland and Westmorland manorial tenants; along with it in the Eskdale and Mitredale manors of the Earls of Egremont was a due called "door-toll." What may have been the origin of the latter seems to be now unknown.

At Parsonby, near Aspatria, the tenants had to give to the parson each one boon day yearly at reaping. In the neighbouring parish of Blennerhasset the tenants, besides being subjected to heriots, each provided one day at mowing, shearing, ploughing, and meadows dressing, and two days leading coals. Higher up the fells the score of tenants at High Ireby and Ruthwaite, under Mr. Fletcher, had to give one day a year, or pay three-pence; one would suppose the most economical alternative was to pay cash. At Egremont the burgesses who had ploughs were obliged to till the lord's demesne one day in the year, but every

burgess was required to find a reaper. In one of the manors of the parish of Wetheral, the tenants, in addition to their monetary payments, had to render to the Aglionby family, of Nunnery, boon days shearing and leading corn, with a certain quantity of oats called foster oats, six pecks being equal to four of Carlisle measure. Various attempts have been made within recent years to ascertain definitely what was the origin and meaning of the term. Nicolson says it was "perhaps heretofore for the use of the foresters, this part being within the forest of Inglewood." That this was probable is also shown by a rule which existed in the barony of Greystoke, which was held of the King *in capite* by the service of one entire barony, rendering £4 yearly at the fairs of Carlisle, suit at the County Court monthly, and serving the King in person against Scotland. The lord's tenants, of whom there were some hundreds early in this century, had to pay "a 20d. fine on the death of lord or tenant, and a 30d. fine upon alienation; also to pay foster rents, foster corn, mill rents, greenhue, peat silver, and boons for mowing and leading peats."

There are many curious regulations bearing upon local tenures, but there is not lacking

evidence that some of a still more noteworthy character have either been allowed to drop out of recognition, or the duties have been compounded for. Silver-penny fines are still enforced occasionally. In Mr. J. E. Hasell's manor of Dacre, when a mortgagee of real estate is admitted to the court roll, he has to pay a fine of a silver penny for each. Heriots is a manorial impost about which some curious information has at various times been published. Many lords of manors and landlords have during the last half century allowed many of their rights in this direction to drop, while others have put on small money payments in lieu both of heriots and services. All customary property in the barony of Greystoke, except in the manor of Watermillock, is subject to heriots.

A curious custom obtains in Mr. H. C. Howard's manor of Newbiggin (Dacre), as shown by a case which arose about thirty years ago. A married woman, seized in fee of customary lands, died, leaving a husband and child. The query was raised whether the husband was entitled to the estate for his own life "as tenant by the curtesy." It was decided that by the custom of the manor, there being no will, the child or

heir at law of a deceased married woman should take the property absolutely, to the exclusion of the husband. In the adjoining manor of Barton there is another interesting rule. A Pooley Bridge man, who held certain property of the manor by payment of a rent of a shilling per annum, died intestate and a bachelor. His nearest relatives were two nieces, daughters of a deceased brother. The question was asked whether the two women would be co-heiresses, as in some other manors, but the eldest was found to take all, to the exclusion of her sister. The custom of the manor of Inglewood is to the same effect, the eldest daughter, sister, or other female descendant inheriting.

A question arose some forty-five years ago as to a peculiar custom existing in the barony of Greystoke. Mr. William Bleaymire, the then steward, stated that by custom of that barony a customary tenant might convey such tenement without concurrence of his wife, as no widow was entitled to free bench in lands disposed of by her husband in his lifetime, he not dying seized thereof. Three or four years later a very similar question arose in the manor of Glassonby, the particular point being whether an owner could

devise his customary land to his children so as to deprive his wife (to whom he was married prior to 1834) of her dower or free bench therein. The late Mr. Lawrence Harrison, the steward of the manor, decided that "the man dies seized of the customary tenement; therefore, notwithstanding his will, she is entitled to free bench according to the custom. The Dower Act in nowise affects the custom." It is a well-known fact that the manorial customs in one village may be exactly contrary to those obtaining in an adjoining one. In some manors daughters are practically unnoticed, and in this connection an interesting point connected with the manor of Watermillock once came up. Mr. Bleaymire decided that an eldest daughter would be entitled to certain property in that manor, subject to her mother's free bench, which was one half.

A fruitful source of litigation, and of disputes of a less costly character, may be found in the demands made even in quite recent times, that purchasers should personally attend the Manorial Court in order to have admittance. In some local cases such attendance is rigidly enforced, but in others—the manor of Edenhall for instance—the purchaser is admitted on production of deed

of bargain and sale. The law books contain many cases in which this point has been stubbornly fought. In the manor of Cumwhitton no admittances are granted, but the property passes by deed of bargain and sale with the licence of the steward endorsed on the deed, and a simple enrolment of the purchaser. In the manors of Morland, Plumpton, and Croglin, the parties seeking to be admitted must attend in person or by attorney.

In the manor of Renwick, by an indenture mutually agreed upon in 1676, the tenants, in addition to a variety of financial payments, were obliged to scour and cleanse the water course to the lord's mill from the bottom up to the mill trough head, and maintain the mill with wall and thatch; bring millstones thereto, and grind their corn thereat, paying a twenty-fourth multure. They were entitled to such house-boot as the steward might be pleased to allot. Some of the mills were of considerable value, a fact which will be readily understood when it is remembered how tenaciously lords of manors clung to the right almost down to our own time. The lord of Drigg had a mill, to which, as was so frequently the case, the tenants were bound. In these days,

fortunately, this and other requirements are not enforced. The same manor had flotsam, jetsam, and lagan, "and so it was adjudged upon a trial at bar between Henry, Earl of Northumberland, and Sir Nicholas Curwen in Queen Elizabeth's time, and afterwards a decree in Chancery for conforming the said prescription and securing that right to the sea against the lord paramount."

The rector of Caldbeck is, or was, entitled to claim a God's penny upon the change of tenant by death, in his manor in the lower part of the parish. Multure ("mooter") was formerly a common form of tax in Cumberland; very many instances of its imposition by lords of manors might be quoted, but sometimes it extended to the markets. The following is a copy of a bill relating to a revolt on the part of the inhabitants of Cockermouth, but the writer has not been able to discover to what extent, and whether immediately, the residents in the old borough succeeded in their protest:—

COCKERMOUTH TOLLS.

At a Meeting of the INHABITANTS of COCKERMOUTH, holden at the COURT HOUSE, on SATURDAY the 13th Instant, to take into consideration the unjust and illegal manner in which

The TOLL of GRAIN,
brought into Cockermouth Market, has for some years
past been taken; and it having been admitted by the
Lord of the Manor, that the Toll of Corn is

ONE HANDFUL

*Out of each Sack sold in the
Market, and no more;*

It was unanimously resolved, that the undermentioned
Gentlemen be appointed to attend the Corn Market, for
the purpose of observing the mode in which the Toll is
taken in future; also that the Landowners, Farmers, and
others, be requested to give information to them, if more
than the Legal Toll be hereafter required or taken by the
Lessees of the Tolls, or if they take it from Grain *not
actually sold*, in order that such measures may be pursued
by and for the Parties aggrieved as the Law allows.

Messrs. JOSEPH STEEL,
WILLIAM WOOD,
JOHN HODGSON,

Messrs. JOSHUA SIM,
JOHN FISHER,
THOMAS WILSON.

THAT a Meeting of the Inhabitants of Cockermouth,
together with the Landowners and Farmers of its Vicinity,
be holden in the Court House,

On MONDAY the 22d Inst. at Two o'Clock

IN THE AFTERNOON,

to form an ASSOCIATION for the purpose of PROSECUTING
any Person or Persons TAKING MORE TOLL than is allowed
by the Ancient Prescription.

Cockermouth, March 15th, 1830.

The lordship of Millom was anciently exempted
from the jurisdiction of the Sheriff of Cumberland;
the lords had power to licence their own ale-
houses, and wreck of the sea was enjoyed until a

comparatively recent period—certainly up to near the end of last century—"whereof," says Nicolson, "much benefit is frequently made, it being almost surrounded by the sea."

A very unusual tenure has been noted as being in existence in the township of Kirkland, a few miles from Wigton. It was stated thus a century and a quarter ago :—"The tenants have a lease granted to them generally by Mr. Lancelot Salkeld, father of Sir Francis, for 999 years, paying a certain yearly rent for every tenement, amounting in the whole to £6 15s. 1d. yearly, and every twenty-one years they are to pay a fine to the lord, viz., a twenty-penny fine, which they call a running gressom, and then take new leases, but pay no general fine upon the lord's death, nor upon change of tenant, but they pay a heriot upon the death of every tenant." Tenures of cumin do not appear to have been common in the two counties. The best known of the kind was in the time of Henry the Eighth, when a yearly rent of 2½d., and one pound of cumin and services was paid by the heirs of John Reede to Fountains Abbey, for the fish garths in Crowthwaite, Keswick.

By the custom of some places a parson might

be obliged to keep a bull and a boar, for the use of the parishioners, in consideration of his having tithes of calves and pigs. Such a condition held in certain parishes in Cumberland, but as the stipulation said nothing as to the quality of the animals to be maintained, many farmers, with the progress of agriculture and education, began to keep their own, and the requirement gradually became a dead letter.

A peculiar obligation concerning Sparket Mill was laid on the tenants in the hamlet of Thackthwaite, in Watermillock parish, as is explained in the following "Verdict of the Head Jurie of Weathermelock, May 9th, 1709":—"As for the controversie betwixt the Tennents of Thackthwaite and ye miller of Sparkhead Mill concerning the repairing of the Mill Dam and the race, we find upon Oath and upon notice given by ye miller the tennents of Thackthwaite are to make ye race sufficient to carry water from the Dam to the Trough Head, upon condition that the miller give them every time they meet to work it a Pott of ale and a pennyworth of tobacco as they have had formerly. And as for the Dam we likewise find upon Oath that the repairing of the same belongs to the Lord of ye Mannor."

What would owners of dogs in these days think and say were such regulations in force as used to be enforced at the ancient Cumberland town of Egremont? The old ordinances of Richard Lucy for the government of the borough declared that "those who hold burgage tenure in Egremont shall find armed men for the defence of the fortress forty days at their own charge; shall find twelve men for the lord's military array, and be bound to aids for his redemption from captivity, and hold watch and ward; and that they shall not enter the forest with bow and arrow, nor cut off their dogs' feet within the borough." The explanation of the last item is that the inhabitants of the forest, who kept dogs to defend their dwellings, were obliged to cut off one foot to prevent their chasing the game, but the precaution was not considered necessary in the town.

Among the local peppercorn rents the following is interesting. The Gill estate, in the parish of Bromfield, is said to have belonged to the Reays "as long as any other estate in the kingdom has been in one family." The tradition is that the head of the family had the then extensive lands of Gill granted to him and his heirs by William the Lion, King of Scotland in the twelfth century,

not only in reward for his fidelity to his prince, but as a memorial of his extraordinary swiftness of foot in pursuing the deer ; outstripping in fleetness most of the horsemen and dogs. The conditions of the grant were that he should pay a peppercorn yearly, and that the name of William should, if possible, be perpetuated in the family. There were several eminent men among the descendants, but the distinctive Christian name is no longer strictly adhered to.

An estate enjoying exemption from payments of tithes is that of Scale Houses, in the parish of Renwick. This arose, declared a writer early in the present century, "owing to an ancient owner of the land having slain a noxious cockatrice, which the vulgar at this day call a crack-a-Christ as they rehearse the simple fable." The document which gives this exemption is believed to be still in existence. Among the dues to which the abbot and convent of Shap could claim were services and money payments from Bampton as "alms corn," and there was a similar tribute from Mauld's Meaburn and Hoff. Burn mentions in his chapter on Bewcastle a tenant's duty not publicly noted in any other local manor, the people having to pay yearly customary rent, quit rents

for improvements, and £2 1s. 4d. *carriage money*, whatever that may have been.

There was a curious regulation in one of the divisions of Windermere parish, which lasted up to about 1780 :—"It was anciently customary in the township of Applethwaite for every tenant's wife who lived below the highway to pay 5d. yearly rent to the lord of the manor, and every other woman above 16 years of age 2d., above the road every tenant's wife paid 3d., and every other woman above 16, a penny. How this custom originated, or why the ladies on the low side of the road were rated higher than their contemporaries in the opposite division, we are unable to say."*

Among the old manorial officers at Cocker-mouth chosen at the Michaelmas Courts were a bailiff, assessors, assessors of bread and ale, mill-lookers, moor-lookers, hedge-lookers, leather searchers, swine-ringers, and appraisers. The jury of the Leet formed the special jury for the government of the borough, and the bailiff was the returning officer for elections, as well as clerk of the market. At Egremont the officers chosen annually were a borough serjeant, two bailiffs,

* Sayer.

four constables, two hedge and corn-viewers, and assessors of damages. Most of the old manors, indeed, would furnish examples of quaint offices, whose purpose is now scarcely known. A good deal might be written concerning the old manorial and other Courts of the two counties. Occasionally these still afford interesting proceedings, but the real purpose for holding them has ceased to exist. The Courts of Pie Poudre, at Appleby and several other places ; the Court of Conscience, or, as it was commonly called, the Wapentake Court, and the Court of Record at Kendal ; and the many Court Leets, are now merely matters of local history.

Old-Time Punishments.

IF one feature is more prominent than another in connection with former methods of repressing crime, or of punishing those who had been declared guilty of breaches of the law, it is that of brutality. Refinement, even in retribution, is perhaps not to be expected, having regard to the habits of the people and the conditions under which they lived. In the neighbourhood of the Border, “Jeddart justice”—to hang a man first and try him afterwards—was doubtless often found a convenient arrangement for dealing with those who were supposed to be delinquents. There is at least one case on record, too, of the drowning of a supposed witch at Carlisle, though the unfortunate woman was probably guilty of no more serious offence than being insane.

One of the most remarkable executions on record was that of Sir Andrew de Harcla, whose place in North-Country history is too well known to need further reference. He offended Edward the Second—whether he was as guilty as some historians have endeavoured to show is certainly a

matter of opinion—and that monarch sent commissioners to Carlisle to seize de Harcla for treason. “The law” in those days was merely another name for the caprice of the King, and de Harcla had no trial. The cedula, or judgment, ran that Sir Andrew de Harcla, Earl of Carlisle, should be stripped of his Earl’s robes and ensigns of knight-hood, his sword broken over his head, his gilt spurs hacked from his heels, and that he should be drawn to the place of execution, and there hanged by the neck; his heart and bowels taken out of his body, burnt to ashes and winnowed, his body cut into four quarters, one to be set upon the principal tower of Carlisle Castle, another on the tower of Newcastle-upon-Tyne, a third upon the bridge at York, and the fourth at Shrewsbury, and his head upon London Bridge.

There has been doubt thrown upon the extent to which this revolting sentence was obeyed. Dr. Burn says “it was performed accordingly,” while the monks of Lanercost record that de Harcla “suffered in the ordinary place of execution with great fortitude, affirming to the end that in his transactions with the King of Scotland he had meant no hurt to his own King or country.” On the scaffold, they add, he said, “You have.

disposed of my body at your pleasure ; my soul, which is above your disposal, I give to God." It was customary to allow a sledge or hurdle on which persons condemned for high treason were dragged to the gallows ; there is nothing in local records to show in what way the Earl was conveyed to the place of execution.

A question which has occupied a good deal of the attention of local antiquaries at various times is whether the body was dismembered and the parts dispersed as ordered. De Harcla's sister petitioned Edward the Third for the restitution of her brother's body for burial, and the order addressed to de Lucy, who had been de Harcla's executioner, is still in existence. It runs thus :—
"The King to his faithful and beloved Anthony de Lucy, Warden of Carlisle Castle, greeting. We command that you cause to be delivered without delay the quarter of the body of Andrew de Harcla, which hangs by the command of the Lord Edward, late King of England, our father, upon the walls of the said Castle, to our beloved Sarah, formerly the wife of Robert de Leyburn, sister to the aforesaid Andrew, to whom we of our grace have granted that she may collect together the bones of the same Andrew, and

commit them to holy sepulture, whenever she wishes or her attorney. And this you shall in no wise omit. Witness the King at York, the 10th of August (1337), by the King himself." A portion of the body is believed to have been buried in Kirkby Stephen Church; the tradition was strengthened by the discovery of part of the bones of a man under peculiar conditions when the church was rebuilt half a century ago.

Although there are several Gallows Hills in Cumberland and Westmorland, there only seems to be one place which has retained any particular story, and it is thus told in Mr. William Andrews' third book relating to punishments* :—"It has been asserted by more than one local chronicler that John Whitfield, of Cotehill, a notorious North-Country highwayman, about 1768 was gibbeted alive on Barrock. He kept the countryside in a state of terror, and few would venture out after nightfall for fear of encountering him. He shot a man on horseback in open daylight; a boy saw him commit the crime, and was the means of his identification and conviction. It is the belief in the district that Whitfield was gibbeted alive, that he hung for several days in agony, and that his

* "Bygone Punishments," 1898.

cries were heartrending, until a mail coachman passing that way put him out of his misery by shooting him."

There is a contemporary record of the execution to be found in the *St. James's Chronicle*, for August 12th, 1768, as follows:—"Wednesday, John Whitfield, for murdering William Cockburn on the Highway, near Armithwaite, was executed at Carlisle, and afterwards hung in Chains near the Place where the Fact was committed." It will be seen that the record makes no mention of the culprit having been put into his iron cage when alive, and one can only hope that there is nothing beyond tradition to support the assertion.

Next we come to the gibbeting of a Threlkeld man, one of the earliest recorded instances of that punishment being imposed in the County Palatine. The facts are contained in the Rydal papers, published in 1890 by the Historical Manuscripts Commission. Writing from Rydal on November 24th, 1671, to Sir Joseph Williamson, Sir Daniel Fleming said:—

"Being lately in Lancashire I received there—as a justice of the peace of that county—an information against one Thomas Lancaster, late of Threlkeld in Cumberland, who, it is very probable, hath committed the most horrid act that hath been heard of in this countrey. He married

the 30th of January last a wife in Lancashire, who was agreed to be married that very day, or soon after, to another; and her father afterwards conveyed all his reall estate to this Lancaster upon his giving security to pay severall sums of money to himselfe and his other daughters. And through covetousness to pay these and other payments it is very probable that Lancaster hath lately poysoned—with white arsenic—his wife, her father, her three sisters, her aunt, her cosin-german, and a servant boy, besides poyson given to severall of his neighbours who are and have been sick, that people—as it is presumed—might think the rest dead of a violent fever. I have committed him prisoner unto Lancaster Castle and shall take what more evidence I can meet with against the next assizes, that he may there have a fair triall, and—if he be found guilty—such a punishment as the law shall inflict upon such like offenders.

On April 3rd, of the following year, Sir Daniel, writing to Sir George Fletcher, at Hutton, returned to the subject, after he had discussed private affairs and the action of the Judges with regard to the Papists. At the Lent Assizes at Lancaster, he said, “Thomas Lancaster has been found guilty of poisoning eight persons, and is to be hanged in chains.” Three weeks later in a letter to Sir William Wilde, Justice of the Common Pleas, the same gossip recorded that “Thomas Lancaster has confessed that he poisoned the old woman with arsenic, for a bribe

of £24 from the heir to her estate, worth £16 per annum." It is, however, to the church registers of Hawkshead that we must turn for an account of the final proceedings, the entry being under date April 8th, 1672 :—

"Thomas Lancaster, who for poysonninge his owne family was adjudgt att the assizes att Lancaster to be carried back to his owne house att Hye-Wrey, where he liv'd, was there hanged before his owne doore till he was dead for that very facte, and then was brought with a horse and carr into the Coulthouse meadows and forth-withe hunge upp in iron chaynes on a gibbett, which was set up for that very purpose on the South syde, of Sawrey Casey, neare unto the Poole Stang, and there continued until such tymes as he rotted every bone from the other."

There are records of wholesale executions in Cumberland for what may be called political offences. When the authorities were subduing Aske's rebellion, for instance, little was thought of hanging a score of men, and many readers will no doubt remember the bravery of the victims' wives on some of those occasions, for at the risk of their own necks they removed their executed husbands from the gallows and buried the bodies by night. At Appleby in former days doubtless many executed men were subjected to the further indignity of being drawn and quartered. In 1664 three of the men who supported Captain Atkinson, of

Mallerstang, were, at a special assize in the county town, convicted of high treason for their share in the Kaber Rigg rising, and all were hanged, drawn, and quartered. It was not until the autumn of 1675 that Captain Atkinson was sentenced to die the death of a traitor, and pursuant to sentence was hanged, drawn, and quartered on September 1st. It was once common to hand over the bodies of those who had suffered on the gallows to surgeons for dissection. Probably the last Gallows Hill victim thus dealt with was George Mackereth, of Kendal, who was hanged in 1748 for the murder of his sweetheart.

A more interesting study is to be found in the methods adopted by the clergy when dealing with refractory individuals. Of excommunication, as imposed in the diocese of Carlisle, much might be written from the records preserved in the registry, for not only were poor folks put under the ban. Bishops and priors were declared "excommunicate," while rectors, vicars, and less important people by the score seem to have offended.

One case of post-mortem punishment at Penrith, by way of appeasing the wrath of a former Bishop, may be quoted. The latter required the Archdeacon of Carlisle to seek out and summon

certain malefactors who had insulted him while on a visit to the town. Three years seem to have passed before anything was done, and by that time one of the culprits had died and been buried. The Bishop ordered the body to be dug up, and to lie unburied until the form of absolution had been gone through. In connection, apparently, with the same affair, the Bishop "signified" to the Court of King's Bench that John de Agliunby, who had been excommunicated for assaulting and wounding a priest, "after the term of forty days still remains impenitent and unabsolved," and so the aid of the secular arm was invoked to coerce him. What the result may have been does not appear.

There is a peculiar case, perhaps less known than any—that of the priest or friar who officiated at the Brunskill conventicle, and made a good harvest from the "miraculous" cures wrought by the strong iron water at the Holy Well, Brough. The vicar obtained the Pope's authority, and the offender was duly excommunicated.

In the Ven. Archdeacon Prescott's recently edited transcript of the "Register of Wetherhall" may be read the full terms of a somewhat peculiar Cumberland case of excommunication and penance.

Robert Highmore, Lord of Bewaldeth, had taken a mare, the property of John Overhouse of that place, as a heriot, before the church of Torpenhow had got the mortuary, and he was promptly punished in the orthodox way. Having quickly asked absolution, and restored the mare to Sir Robert Ellargill (for the parsons were always styled "Sir" in those days), vicar of Torpenhow, and by way of penance given the six best oaks in his wood, the Bishop absolved him. In some parts of the country the second best horse was due to the Church, and, says an old historian, "was carried, by the name of mortuary, or corse present, before the corpse, and delivered to the priest at the place of sepulture." But in the diocese of Carlisle the Church was first served, and the lord only got the second best. Bishop Barrow, who ascended the episcopal throne at Carlisle in 1423, anathematized all men who took the heriot before "the Holy Kirke" got the mortuary. The punishment of excommunicating was far from being reserved for the lower orders. Quite a long story might be made of the part taken in this way, in the thirteenth century, by the Bishop of Carlisle, who excommunicated the Bishop of Dunkeld for refusing to pay the Pope's tenth for the Holy Land.

When it became a matter of cursing wrongdoers, there was generally no tendency towards mincing words. Christian, Bishop of Glasgow, who became a professor of the Cistercian order, gave to the Abbey of Holme Cultram the grange of Kirkwinny. In this grant, quoted in Dugdale's "Monasticon," the Bishop charged all men to protect and defend the grange, as they valued the blessing of God and of himself; threatening, if they did otherwise, that they should incur the papal excommunication, the curses of Almighty God and of himself, and the pains of eternal fire.

In 1361 several persons being accused of shedding blood in the church and churchyard of Bridekirk, were decreed to be excommunicated by the greater excommunication, and the incumbents of all the churches of the deanery of Allerdale were ordered to publish the sentence against them on every Sunday and holiday at high mass, when the largest number of people should be gathered together, the bells ringing, the candles lighted and put out, and the cross erected. The mother church of Greystoke being much out of repair, the belfry fallen, and the wooden shingles on the roof mostly scattered, and the

inhabitants of Threlkeld and Watermillock refusing to contribute their proportion of the charge, the Bishop, at his visitation in 1382, issued his injunction "to all and every of them," under pain of the greater excommunication—a proceeding which in those superstitious times no doubt quickly had the desired effect. Indeed no great provocation would seem to have been needed to bring the punishment of excommunication. Complaint having been made of some unknown persons riotously breaking into the houses and grange at Wet Sleddale, and committing disorders, a former Bishop issued his mandate to the Dean of Westmorland, and the local clergy, to denounce the greater excommunication at the time of high mass, the bells to ring, and the candles to be put out, against the rioters.

One of the vicars of Appleby St. Lawrence, Thomas de Burnley, was cited to York for neglecting to serve the chantry in Appleby Castle—doubtless the action was taken at the instigation of the Hereditary High Sheriff. On Burnley not appearing before the Judge of the Prerogative Court of the abbot and convent, he was excommunicated. The sentence was ordered to be read in the parish churches of St. Lawrence and

St. Michael, Appleby, and in other churches and public places in the dioceses of Carlisle and York, every Sunday and holiday, so long as the abbot and convent required, or until he should comply and make satisfaction to the judge and parties. Burnley was not the only holder of his office who objected to the castle service, as Sir Walter Colwyn, who was appointed vicar of the parish forty years previously, was also sentenced (doubtless to be excommunicated) for "having endeavoured to throw the charges of serving the chantry in the castle upon the prior and convent of Wetheral."

About the middle of the fourteenth century, Bishop Welton sent out his mandate to the rector of Brougham and another cleric to denounce the sentence of greater excommunication against certain unknown persons who had broken up a paved way and done some other outrages in the churchyard of Penrith, reserving to himself the sole power of absolution. Thereupon several of the inhabitants made a pilgrimage across country to Rose, confessed themselves guilty, and prayed for a remission of the heavy sentence. That was granted on condition of each man offering, by way of penance, a wax candle of three pounds weight,

before the image of St. Mary in the parish church of Penrith on the following Sunday. In the same year the vicar of Penrith had a licence granted to him, to continue from March 8th to the Easter following, to hear the confessions of all his parishioners, and to give absolution upon the performance of penance enjoined. Some exceptionally bad cases were, however, specially reserved by the Bishop. Persons who suffered from the ecclesiastical ban were deprived of the right of burial in the churchyard. Two cases of the kind are recorded in the Penrith registers for 1623. "August 29th, Lanc. Wood, being excommunicate, buried on the Fell. September 5th, Richd. Gibbon, being excommunicate, buried on the Fell."

The most noteworthy instance of a man of any eminence in the Church being visited with excommunication during the last two centuries is probably that of Dr. Todd, who was vicar of Penrith in the first quarter of the eighteenth century. He and Bishop Nicolson had a long and bitter quarrel as to the rights of the prelate in local Church affairs. The diocesan at length suspended the vicar *ab officio et beneficio*, and then excommunicated him. The story throughout is

not of a particularly edifying character ; Dr. Todd took his punishment very lightly, and afterwards he and the Bishop seem to have been very good friends again.

Still later there are to be found records in various parish registers of ecclesiastical pressure being brought to bear on parishioners. Without any reason being shown in the register, Jane Curry was declared excommunicate, December 10th, 1732, by Hugh Brown, curate of Hayton. At Kirkandrews-on-Esk the churchwardens' book shows a list of presentments for not bringing children to be baptised ; for clandestine marriages, fornication, and contumacy. The parties were either excommunicated, or did penance, in the church on Sunday. One man did his penance in 1711 after having for fornication been excommunicated for thirty years ; another man was excommunicated for refusing to be churchwarden. In 1785 two couples were publicly rebuked in church for clandestine marriage, and Sir James Graham, on the application of the curate, Mr. Nichol, ordered all his tenants to pay their fees properly. Clandestine marriages of course deprived the rector or the curate of the fees, hence the landlord's reproof and caution.

The power of excommunication, which during the time of Charles the First had been chiefly exercised against the Romanists, was at the commencement of the reign of James the Second turned against the Protestant Nonconformists, with, in some districts, results sometimes curious but almost always sad. The names of forty-four persons were set out in the Greystoke register on March 29th, 1685, with this announcement following them: "Were these persons whose names and surnames are here under written denounced excommunicate for their offences, and other their contumacy in not appearing at Consistorye Court for the reformation of their lives and manners." Some of the offenders seem to have had only indifferent moral characters, but the majority were Quakers. Quakerism had been spreading for many years in the two counties, and during the time Dr. Gilpin was rector of Greystoke, the Nonconformists, while holding him personally in the deepest respect, gave him some hard puzzles to solve. "Such were their novel phrases and cross questions and answers that the doctor seemed sometimes at a loss what to say to them." Among those who went over to the Quakers was a noted yeoman in his day—Henry Winder, of Green

Close, who was appointed by the "Friends" to be the Receiver of all their collections in Cumberland. He, however, afterwards returned to the Presbyterians, and wrote some noteworthy pamphlets on religious topics. His many quarrels did not help to wear out his frame, for we read: "Feb. 9th, 171 $\frac{6}{7}$ was buried Henry Winder, sen., of Hutton Soyle; who dyed of a dropsy in the hundredth and first year of his age."

The registers of Bampton contain many curious entries, especially about people who did not go regularly to church. One, which may be taken as an example of other reports by the churchwardens, reads:—"We have no presentments to make but what has been formerly presented, viz., we have Thomas Braidley and Margret his wife, Richard Simpson, John Hottblacke, and Syth Gibson, quakers, and noe other we have in our parish, but doe duely resort to church, nor any other offence presentable to our knowledge." In other cases it was further noted that "the parties stand excommunicated." The churchwardens were evidently strict about enforcing order, and on one occasion reported "William Stephenson for violent beating of John Wilkinson of Shap upon the sabbath and within the churchyard." In other ways the church-

wardens exercised care ; and a woman got into trouble with them for acting as a midwife “ without licence to the prejudice of several persons.” Again, “ Lancelot Hogarth is presented to us by information of Richard Brown for loading corn on the sabbath in time of divine service.” Sometimes the parish clerk had a share in the work ; one of these presented. “ James Hayes of Banton, for reading two sale notices, without leave on the Sabbath day, one in the church, the other in ye churchyard.”

Possibly even Dissenters were not thought to be entirely bad, so long as they paid their tithes, and in presenting William Simpson once more the Bampton churchwardens vouched that albeit he was a Quaker he was “ a very moderate one ; tho’ he absent the church yett he payes his tythes.” The Church authorities seem to have carried out their unpleasant duties with a due amount of consideration ; there is a tone of sympathy about some of the entries ; in others indifference may be noted, as where Richard Simpson and Margaret Bradley (the latter “ very old, not able to go abroad, scarcely help herself,”) are presented along with William Wilson, younger, a Dissenter—what sort we know not, but he never comes to church.

Although the Howards of Naworth at one time owned the manor of Thornthwaite, and lived at the Hall, the only entry in which the name is found is the following: "We have none to present but who have been formerly presented and doe stand excommunicated, viz., Mr. William Howard and Jane his wife, papists, Richard Simpson and Margret Braidley, widow, quakers, all that we have."

Although the sentence of excommunication was frequently used by the Nonconformist bodies, in this case the proclamation had no such serious results as followed the sentence in earlier days. Among the records of the Penrith Presbyterian Church are many allusions to excommunication; one instance will suffice to illustrate the rest. In 1818, Robert McCreery, a member of the church, had left the town in company with a woman who was not his wife, but returning three months afterwards, he petitioned to be re-admitted to the Presbyterian Society. Before the formalities could be concluded McCreery seems to have changed his mind and withdrawn his application, and he was therefore declared from the pulpit to be excommunicate.

At Ravenstonedale, in the days of Philip Lord

Wharton, there was a ready method of dealing with slanderers and other transgressors. The "town" was governed by twenty-four of the principal inhabitants, called the grand jury, and the oath which they were required to take included a promise that—

"Every person or persons within this lordship which shall be convicted before the grand jury for the time being and by them be found to have offended against any person or persons within this lordship, either by slanderous words or other unlawful speech or report, that the same offender or offenders shall, upon such a Sabbath Day, before the celebration of the general Communion then next following the conviction, and in such manner before the people assembled in the church . . . appoint the said offender or offenders in penitent manner to confess their fault, and to ask the party aggrieved forgiveness for the same, upon pain of every such offender or offenders to forfeit to the lord of this manor, so often as they shall contemptuously or obstinately deny or defer to make their reconcilements, 3s. 4d. : and the men in charge of the church not to fail in execution hereof upon pain to forfeit to the lord 12d."

Though paying 3s. 4d. seems a small punishment, it was a large sum towards the end of the reign of Queen Bess, and would be equal to fully £3 now, while three years after the rule was instituted the fine was doubled. Mr. Nicholls, in a series of lectures which he delivered in the village some twenty-four years ago, remarked :—

“Such a law as this one would expect to be a very wholesome check against slander. There is a tradition that the culprit was compelled to stand up, wrapt in a white sheet, and confess his fault ; but, whether this were so or no, the confession must have been a terrible ordeal, and I can understand that the fine was often paid. It would seem that notwithstanding the fine or penalty, the vice was a prevalent one, as its mention is followed by a homily against the sin of slander, in which many passages of Scripture are cleverly and skilfully incorporated.”

The long-since dismantled Abbey of Lanercost had its origin in a tragedy. Gils Beuth laid claim to a part of Gilsland, and Robert de Vallibus, lord of Gilsland, slew him at a meeting for agreement appointed between them under trust and assurance of safety. In consequence of that action Vallibus laid down arms and began to study law with such good effect that in time he became a judge. The murder still preyed on his mind until he made satisfaction to Mother Church by building Lanercost Abbey, and endowing it with the very lands which had brought about the murder.

Dr. Burn in one instance shows that not only were people allowed “the option,” in some cases, but that the money was put to good use. A silver communion chalice belonging to Beetham Parish Church “was purchased by the late Commissary Stratford with money paid in commutation

of penance for adultery and fornication ;” its inscription being “ OB PŒN. MULCT. DEDICAT. HUIC. ECCLESIAE, 1716.” Slanderers had occasionally to pay not only a monetary penalty for the free use of their tongues, but to satisfy the ecclesiastical authorities as well. Chancellor Paley had such a case before him in November, 1789, where a man had “uttered words of a shameful nature and unbecoming a Christian, in prejudice to the complainant and his daughter.” The Chancellor “decreed the defendant to do public penance in the parish church, and to be condemned in all costs.” The *Pacquet* which thus records the decision, is silent as to the method in which the punishment was carried out. Penance in connection with illegitimacy was not uncommon ; therefore the following entry which occurs in the Kirby Thore register, dated June 27th, 1779, after the baptism of an illegitimate child, must be taken only as an example: “William Bowness, of Bolton B[achelor]: Frances Spooner, widow, of this Parish, the parents, underwent a public penance in this church.”

The Millom records under date March 27th, 1595, say that Jenet Benson was “to be sorye for her sins by order of Mr. Commissorye at Botle ;”

and in 1608 "Barnard Benson did his penance in the parishe chirche of Millom the 19th of March and payed to the poor of the chirche x^s. which was openly delivered in the pulpit, vi^s. viii^d. at Millom and iii^s. iv^d. at Ulfall." The Bensons would seem to have been a troublesome lot, for another entry is that "Myles Benson p^d xii^d. for sleepinge and not goinge orderly to church." The wardens at that time could fine any parishioners a shilling for neglecting to attend church. Insults to the clergy were visited with such punishments as could be imposed, and the doing of penance was perhaps the most suitable consequence of such an action. This paragraph appears in the Greystoke register:—"1608⁸ February 12th. This daye two Sermons by Mr. P'son one afforenone, and the other afternone, and Edward Dawson taylyor did openlye confess before the Congregation that he had abused the mynister Sr. Matthew Gibson upon the Sabboth daye at Evenynge prayer." Sacrilege has always been very properly looked upon as one of the worst crimes, but instances must be comparatively rare of an estate being forfeited through such an act. Barwise Hall, near Appleby, descended from the family of Berewyse to that of Ross, and the last of these is

said to have forfeited his domain for stealing a silver chalice out of the church.

Before the privilege was abolished by Parliament in the reign of James the First, there were several places in the two counties at which sanctuary could be obtained. One was at Ravenstonedale. The Rev. W. Nicholls, Dr. Simpson, Mr. A. Fothergill, the Rev. R. W. Metcalfe, and others have brought the history of that parish to an unusually complete stage, and the first-named gentleman has told the story.* The tower, according to tradition—the structure was demolished about a century and a half ago—stood apart from the church, on the road side, and rested on pillars, leaving openings at equal distances on each side, while from the centre hung the rope of the refuge bell. Any person who had committed any offence worthy of death—once a very easy matter, there being many such crimes besides murder—after ringing the bell could not be seized by the Sheriff or any other King's officer, but must be tried by the lord's Court at Ravenstonedale, which doubtless at first consisted of the monks. Mr. Fothergill recorded that in his time if a murderer fled to the church and tolled the holy bell, he

* "History and Traditions of Ravenstonedale," 1877.

was free, and that if a stranger came within the precincts of the manor he was safe from the pursuer. He added :—"Of our own knowledge, and within our own memory, no felon, though a murderer, was to be carried out of the parish for trial, and one Holme, a murderer, lived and died in Ravenstonedale ; his posterity continued there for two generations, when the family became extinct." Some doubt has been thrown on the local tradition that the privilege of sanctuary was possessed by the Nunnery, on the banks of the Eden, in Ainstable parish. There is still an upright pillar, having on one side of it a cross, round which is inscribed "Sanctuarium, 1088." There is also near to Greystoke Church what is called a sanctuary stone.

In the Museum at Kendal is preserved a good specimen of the scolds' bridle, which may have come down from the days, three centuries ago, when the Corporation set about reforming the conduct of the inhabitants. The contents of the "Boke of Recorde" are very interesting in this connection. Gambling in its varied forms was put down rigorously. It was ordered that any inhabitant allowing any play at cards, dice tables, bowls, or any other unlawful game should be

fined for the first offence 6s. 8d., and for the second offence 13s. 4d., while the players escaped with half those penalties. These and other fines which were provided for were "over and beside such other punishment as shall be thought mete and requisite according to the quality of the offence."

Among the punishments provided for may be noted the following as a specimen, there being several of the kind. Henry Wilson, a burgess and Justice of the Peace for the borough, having been living incontinently with Jennet Eskrigge, a married woman, "as is notoriously known to the sclannder and offence of the magistrats off the sayd boroughe, and evil example of the residewe off the inhabitantts heare, wherbye he is thoughte nott mete to contynewe in the sayd roweme and offyce," it was ordered that he should be expelled from his offices. As to the woman, it was decreed that she should be carted through the town, "to the terror and fear of other persons of evil disposition for the committing of the like offence in time to come," and she was not to be permitted to remain within the borough unless she was reconciled to and dwelt with her husband. The punishment did not act as a warning to

the woman, and further orders are to be found in the minute-book showing how she was made liable to heavy fines and forbidden to enter the town "otherwise than as a stranger coming to the church or market only," while the inhabitants who gave her shelter were liable to fines of ten shillings each.

There is a very long and verbose order passed by the Corporation in December, 1589 :—"For punishinge of a mayd servant for speakeinge slanderouse speeches of her master." They found that "Mabel Atkinson, late servant unto Mr. Henry Dickson, and Sybell Dyckson, his wife, inhabitants of this borough, forgetting her duty to Almighty God and the fear and awe she ought to have had to the threatening menaces and punishments pronounced out of His Holy Word and Commandments against such persons as shall openly or privily unjustly slander, hurt, or impair their neighbours in body, goods, name or report, and also that servile regard and honest, and true favour and love she ought to have borne towards her said master and mistress in all manner of behaviours and reports by the instigation of our mortal enemy the Devil, the author of all falsehood and lying, hath of late, even within this

borough of Kirkbiekendall, most maliciously, falsely, and untruly imposed, devised, framed, and brought a very horrible, unjust, and feigned slander and misreport of and against her master and mistress."

The punishment is worth describing in full, but the following extract will suffice as a specimen of the whole order thereon:—"For condign punishment in this behalf and for a terror and fear to be wrought in all others for committing the like offence, it is ordained and constituted that Mabel Atkinson shall be attached and taken on Monday, in the morning, next, by the two Serjeants at Mace and ministers of this borough, where and in what place she may be found, and shall forthwith be had, carried, and conveyed unto the common prison or ward of the same borough, and there shall remain and continue without any bail or delivery until Thursday then next following, in the afternoon, having only for diet every day in the meanwhile one slender and spare repast of meat and drink, and only two coverlets nightly to lie in, at which time on the said Thursday, in the afternoon, being openly called forth of prison to the bar in the Mootehall of the same borough, if she will and do in very penitent,

humble, and sorrowful manner, unfeignedly and truly upon her knees, in the open presence of the people then and there assembled, and before her said master and mistress, ask and pray at God His hands mercy and forgiveness for her said false and untrue report and slander, and pardon also of her said master and mistress for the said offence, then she to be delivered out of the said prison or ward, paying such fees and duties as may appertain, and if she shall the same refuse, in whole or part, or in doing the same not performing it with such true penitence as in such case is requisite, and as all the people assembled may and shall therewith be fully satisfied and resolved, that she be banished from being, tarrying, or remaining within this borough, or the liberties or precincts of the same, for and by the space of one whole year then next coming, and that no person or persons during the same year shall take her into service or suffer her to dwell in house under or with any such person or persons (except it be in lawful wedlock) upon pain to lose and forfeit to, and for the common use of all the inhabitants of the same for every month as much as ten shillings, to be levied as above."

The poor drunkards met with none too con-

siderate treatment from the justices of the time. Here is a curious "Order against common drunkards, how to be punished, and for common scolds":—"Whereas sundry persons inhabiting this borough and others (of their insatiable minds without any regard to common honesty, modesty, or fear of God, or His severe punishment either in this life or the life to come) do give up their bodies (which Almighty God hath ordained to honour) unto all manner of dishonour and dissolute kind of life in quaffing immoderate and superfluous devouring of strong ale at very many needless and unfit times, continuing the same most foul and detestable vice so long till at length they be so far overtaken and gone that they become beast-like and insensible, without reason or any good understanding (besides the great loss of time and waste of their goods, and miserable want of their families at home, and their own beggaring at length, and lamentable grief to all other good Christians, their neighbours, detesting and loathing that vice) for redress whereof and preventing of sundry mischiefs which else might happen by this occasion (besides great danger to their souls) if the same enormity should not in time be speedily foreseen; it is therefore ordained and constituted

by the Aldermen and burgesses of this borough that at all times hereafter when and so often as any person or persons whatsoever shall be seen or known . . . to have been or at any time to be so far overtaken, besotted or drunken with immeasurable devouring of strong drink that then it shall be lawful to or for any Alderman, Justice, or Alderman's Deputy all and every such misordered person and persons to cause to be imprisoned within the same borough, there to remain at such diet and during the pleasure of him that committed him, to the end thereby to reclaim and warn every one of them from lewdness and detestable offences of drinking; and also that every such magistrate aforesaid shall or may commit and command to be set on the cuckstool every common scold, railer, or of notorious misdemeanour, at the like pleasure of the Commander or Magistrate."

The turning of Thirlmere into a huge reservoir, and the necessary increase of its depth, hid for ever a number of land-marks. There are, however, numerous others of an interesting character left. A reminder of the days when the manorial lord was a king in a small way is supplied by the Steading Stone. This is supposed

to mark the site where the manor court of Wythburn was held, and its pains and penalties imposed. The Rev. S. Barber has supplied* an explanation of a term which has puzzled many a tourist as well as not a few dwellers in Lakeland :—
 “The City, as has been suggested by one who is no mean scholar, is neither more nor less than a corruption of ‘Sitting,’ that is, the place of session of the early judges, when they met to adjudicate in criminal cases. We can then picture the white bearded patriarchs seated in solemn conclave upon the semi-circle of boulders facing the central rock, and after the giving of sentence sternly watching the miserable captive led away to be decapitated on that very rock, before the assembled witnesses.”

Life in the old gaols for any extended period must have been a very dreadful experience. The buildings were generally crowded; that they would be in a perpetually insanitary condition goes without saying, and gaol fevers were frequent. The prisoners were not treated any better in the local gaols than in other places. They were chiefly dependent on the charity of outsiders for subsistence, and the old Carlisle and Whitehaven newspapers contain hundreds of

* “Beneath Helvellyn’s Shade,” 1892.

paragraphs recording the gratitude of the prisoners to the local gentry for gifts of from £1 to £20. In these days when it is unlawful to send any tobacco or liquors into a prison, the reader notes with particular interest the announcements of presents of barrels of ale, prayer-books, bread, coals, and other articles to the debtors, as well as to those who had been convicted of serious offences.

Those, too, were “the hanging days.” Note the items in this concise report of Carlisle Assizes in August, 1790 :—“On Friday afternoon the Judges were met at the usual place, near Carlisle, by Wm. Brown, High Sheriff of the county, attended by a most respectable and numerous company of gentlemen, in carriages and on horseback. On their arrival in the city, their lordships proceeded to the Hall, where His Majesty’s Commission being opened in due form, the Courts were adjourned to eight o’clock the next morning—when the business of assize proceeded. The Hon. Sir John Wilson at the Crown End; and the Hon. Sir Alex. Thomson, in the court of *nisi prius*. When our account left Carlisle, Wm. Bledy, for breaking open the shop of Miss Crossthwaite, at Keswick; and John Thompson,

for horse stealing, were found guilty—death. Bella Ramsay, for stealing wearing apparel, to be transported. Leonard Falshea, for stealing six sheep, found guilty—death, but ordered for transportation. Ann Wilson and Elizabeth White, for stealing a purse, etc., to be transported.”

There are no stocks standing now on the village greens of Cumberland and Westmorland, but in Tullie House Museum, Carlisle, are local examples of both pillory and stocks. Among the records of Greystoke, some seventy years ago, it was stated that the village then possessed a neat cross, “the stones of which remain piled together, and also the foot-stocks for the punishment of evil doers.” Whipping in public was so general in most towns as to occasion no great amount of notice, and often the punishment must have seemed out of all proportion to the offence. Thus at the assizes of 1790, just mentioned, Walter Smith, who was convicted of stealing a game-cock, was sentenced to be imprisoned six months and publicly whipped in Whitehaven.

There is a tradition among some of the old folks of Penrith that the holes at the top of the ancient cross, known as the Giant’s Thumb, in the churchyard, were at one time used for a pillory. The only



RE-ERECTED ON NEW BASE
CARVED DESIGNS REPRODUCED
FROM THE CROSS.
1887

GIANT'S THUMB, PENRITH.

C.H.P.

authority for the assertion seems to have been the late Mr. William Grisenthwaite, builder, who had quite a store of local traditions. It was on his statement that Mr. George Watson included the information in his "Notabilia of Old Penrith." Mr. Grisenthwaite said the last time the cross was used for that corrective purpose was for the whipping of a young woman, who died of a broken heart in consequence of her shameful exposure. It is but fair to say that other old people of great intelligence declare that they never heard of such an event, and that they do not believe it. Moreover, Penrith possessed stocks, and doubtless a pillory also, not far from where the Monument now stands ; hence the statement as to the Thumb being put to such a secular purpose as being used for a whipping-post is greatly in need of confirmation. The stocks at Penrith had not ceased to be used in 1781, having been repaired by Thomas Langhorne in that year, at a cost of £1 14s. Those at Ravenstonedale stood outside the churchyard wall, and near the Grammar School. The stocks at Orton were near the church gate ; those at St. Michael's, Appleby, at Bongate Cross. An iron, with the letters "R. V. T." ("rogue, vagabond, thief"), was attached to the dock in the

Crown Court at Appleby, until the Shire Hall was improved about 1848.

It is recorded that whipping was formerly practised in Appleby to a considerable extent. On October 26th, 1743, it was ordered by the Mayor and Aldermen that the stocks and pillory, then opposite to the house which had recently belonged to a person named Knotts, should be immediately removed to the end of the open Hall, facing the Low Cross, "that being deemed the proper place for the same, and that there be a whipping-post, and a convenient place for burning criminals in the hand, erected there also." The late Mr. M. Cussons, shortly before his death early this year, told the writer that he particularly remembered the stocks at Appleby. They were placed at the north end of the old Moot Hall, and were removed before 1835, in which year the Corporation fixed the present weighing machine on the site. The stocks were so placed that the culprit undergoing punishment had his back to the building, and faced the church. When they were last used has not been ascertained. There were stocks also at Bongate Cross, but these were removed about thirty years ago by the late Mr. Richardson, the Bongate parish clerk, and

given by him to the late Mr. G. R. Thompson, Bongate Hall. From the Appleby Corporation records, Mr. W. Hewitson, Town Clerk, finds that in 1767 the grand jury set out to William Bewsher on a lease for 999 years a piece of ground on which to build a smith's shop, at the north corner of Bridge End, near where the ducking-stool stood.

The last person flogged through the Appleby streets was a man named Johnnie Copeland, a notorious character in his time. This happened about 1819. The crime for which he suffered this punishment was a criminal assault. Mrs. Jane Brunskill, Appleby, now in her ninetieth year, who was an eye witness of the punishment, informed the writer a few months ago that she remembered the occurrence perfectly. The offender was fastened by two ropes, placed round his body, one being held by a man who walked in front, and the other by a man walking behind the culprit. The punishment was inflicted by a prisoner under confinement in Appleby Gaol. They started from the High Cross and proceeded to the Gaol, the man being flogged all the way. This took place on a market day, and the streets were crowded. The governor of the gaol at that time was named

James Bewsher, and he combined with that office the business of blacksmith, which he carried on in the premises already referred to as being near the place where the ducking-stool stood.

Dishonest workmen also got a taste of the lash occasionally, as witness this newspaper paragraph of January, 1789: "A fancy-weaver, belonging to Messrs. Foster and Sons' manufactory in Carlisle, was publicly whipped a few days ago, for stealing several of his masters' patterns, and sending them to a manufactory in Glasgow."

There is believed to have been no example of riding the stang in Cumberland or Westmorland during the last half century. Previously, however, it would seem to have been an unpleasantly frequent punishment. In the *Westmorland Gazette* for December 19th, 1835, a long description was given of "the old but now almost neglected custom." In this case an Ambleside woman had left her husband and family, and gone with a married man to America. After an absence of eight months she returned, and, said the local journalistic chronicler of the period, "the young men of Ambleside, with that manly and proper spirit which ought to actuate the breast of every noble mind who values propriety of conduct, and

that which is decent and of good report, on Monday procured, instead of a pole, a cart, in which were placed two of their companions, and accompanied by a party of both young and old, proceeded through the town repeating at certain places the following lines :—

‘It is not for my part I *ride the stang*,
But it is for the American——just come hame.’

The fun was continued to the amusement of hundreds for about an hour, but not being satisfied with one night’s frolic, the same party, on Tuesday evening, procured an effigy of the frail lady, and after exhibiting it in every part of the town, publicly burnt it at the Market Cross, amidst the loud hurras of the assembled crowd who had met to witness the sight, and who took that opportunity of testifying their hatred and detestation of such base and abominable conduct as the parties had been guilty of.”

Some Legends and Superstitions.

THE title of this chapter sufficiently indicates that the legends and superstitions intended to be dealt with are far from including all which might be mentioned ; indeed not a tithe of those which are still well known in the two counties can here be touched upon. Mr. Whitfield, M.P., in an address in West Cumberland over thirty years ago,* said that the superstitions in the Border country concerning fairies and brownies were more developed, and the belief in spells and enchantments more common than in many other parts of the country. The various circumstances attending the growth of those beliefs led to the conclusion that in the Middle Ages religion as then taught did not exercise any great influence on the Border. Though monasteries were founded on each side of the Border as some protection against the desolations of war, the English did not scruple to ravage the Scottish monasteries during an invasion, and the Scotch treated with corresponding violence the English foundations. At the time

* At Cockermouth, October 10th, 1867.

of the Reformation the Border was probably the most ignorant and barbarous district in England.

There is a pretty legend pertaining to St. Bees, which is supposed to have derived its name from St. Bega, an Irish nun, who came to Cumberland about the middle of the seventh century, and, with her sisters, was wrecked near to the headland. "In her distress she went to the Lady of Egremont Castle for relief, and obtained a place of residence at St. Bees. Afterwards she asked Lady Egremont to beg of her lord to build them a house, and they with others would lead a religious life together. With this the Lady Egremont was well pleased, and she asked the lord to grant them some land. The lord laughed at the lady, and said he would give them as much land as snow fell upon 'the next morning in Midsummer Day.' On the next morning he looked out from the castle towards the sea, and all the land for about three miles was covered with snow." *

Another tradition associated with West Cumberland is that at Kirksanton. There is a basin, or hollow, in the surface of the ground, assigned as a place where once stood a church that was

* The Rev. E. H. Sugden's "History of Arlecdon and Frizington," 1897.

swallowed up by the earth opening, and then closing over it bodily. It used to be believed by the country people that on Sunday mornings the bells could be heard far down in the earth, by the simple expedient of placing the ear to the ground. A very similar legend was, in a magazine in 1883, recorded of Fisherty Brow, Kirkby Lonsdale :—
 “There is a curious kind of natural hollow scooped out, where, ages ago, a church, parson, and congregation were swallowed up by the earth. Ever since this terrible affair it is asserted that the church bells have been regularly heard to ring every Sunday morning.”

If an old tradition is to be believed, one of the most conspicuous land-marks in the north of England should be regarded as a memorial, so far as its name goes. The story is that the cross was planted, by pious hands, in the early days of Christianity, on the summit or table land of the chain of mountains which bounds the eastern side of Cumberland, separately known by different names along their range, but collectively called Cross Fell. At any rate, whether or not it takes its name from its transverse situation to the common run of the immense ridge, this tradition, as the Rev. B. Porteus has remarked, “is preferable

to another which traces its derivative to a cross erected for the purpose of dislodging the aërial demons which were once thought to possess these desolate regions, and gave it the name of the Fiend's Fell." But the cyclone (the Helm Wind) and the sending for holy men to Canterbury to exorcise "the demon" supports the derivation. Alston Church is dedicated to St. Augustine. Some say the bodies of Christians who had died in the heathen eastern districts were brought "Cross t' Fell" to be buried in the consecrated land of the primitive Christians of Cumberland and Westmorland.

There is a tradition that an attempt was made time after time to build a church in what is known as Jackson's Park, Arledon, but as often as begun in the day it was destroyed in the night by some unknown and invisible hand. Eventually the attempt was abandoned, and the church built in its present position. Then there is the familiar legend connected with the building of the Devil's Bridge at Kirkby Lonsdale. There are several versions of the erection of this structure, and as one is just as likely to be wrong as another, the story told by Mr. Speight* may be quoted: "The

* "Craven and North-West Yorkshire Highlands."

bridge was built by his Satanic Majesty, according to a compact made between himself and a poor woman who wished to recover her cow which had strayed at low water to the opposite side of the river, but could not do so without the convenient means of a bridge. And so the King of Evil agreed to erect a bridge on condition that he should have the first living thing that crossed. He knew very well of her husband's coming home from market, and hoped to make good booty. But the cunning woman was equal to the occasion. Seeing the approach of her husband on the opposite hill, she concealed a scraggy, half-starved dog under her apron, and letting it sniff a bone, suddenly tossed the latter over the fine, new made viaduct, and the dog at once bounding after it, she stepped back, and raising her fingers in a vindictive, and certainly most unbecoming manner, lustily exclaimed,

‘ Now, crafty Sir, the bargain was
That you should have what first did pass
Across the bridge—so now, alas !
The dog's your right.
The Cheater cheated, struck with shame,
Squinted and grinned, then in a flame
He vanished quite.’ ”

At least two legends have come down to us of

the days of the wolves. A lady belonging to the Lucy family—the great territorial lords of West Cumberland—was one evening walking near to Egremont Castle when she was devoured by a wolf at a place afterwards marked by a stone cairn, and known as Woful Bank. The name of Wotobank is given to a place in the parish of Beckermet. The story here is that Edgar, a lord of Beckermet, and his lady, Edwina, and servants, were at one time hunting the wolf. “During the chase the lord missed his lady, and after a long and painful search the party at last found her body lying on the hill, or bank, slain by a wolf, with the ravenous beast still in the act of tearing it to pieces. In the first transports of his grief, the words that the distressed husband first uttered were, ‘Woe to this Bank’—a phrase since altered and applied to the place as ‘Wotobank.’” Another wolf legend of a somewhat similar character is attached to a well called Lady’s Dub, at Ulpha.

What can only be described as legends—for as to their authenticity it would perhaps not be wise to inquire too closely—belong to the fortunes of several estates in the two counties. One of the owners of Warthell (or Warthol) Hall, in the parish of Plumbland, was notorious for his passion

for card-playing—a form of amusement, by the way, which probably for more than two hundred years has been a favourite among all classes in the two counties. The Lord of Warthell, Mr. Dykes, one evening lost a large sum, and was face to face with ruin. Growing desperate, he determined to risk all on a single game of putt, and at the last deal cried,

“Up, now deuce, or else a tray,
Or Warthell’s gone for ever and aye.”

✱ While it would perhaps be unjust even to suggest that the people of Cumberland and Westmorland are now more superstitious than those of other counties, it is nevertheless a fact that many curious beliefs prevailed in the country districts long after they had ceased in other places. The faith in the efficacy of charms has even yet not died away. Toothache has long been a favourite medium for testing the skill of the charmer and the faith of the sufferer. The Rev. H. J. Bulkeley, then rector of Lanercost, who spent much time in collecting records of the old and fleeting beliefs, told in 1885 how the toothache charm was worked. “A boy suffering from toothache was taken to an old blacksmith, who prodded the decayed tooth with a rusty nail; blindfolded the boy, led him

into a wood, and, taking the bandage off his eyes, made him hammer the nail into a young oak ; blindfolded him again, and led him out, making him promise not to try and find the tree or tell anyone of it. And that tooth never ached any more !” Another method was to rub, with a stone, the part affected, the operation taking place soon after sunset. While performing the rubbing, the charmer muttered an incantation which does not seem to have been preserved in print, although it is doubtless well known in the country districts. ✕

Fairies have given place to more material creations, but the faith in the “little folk” has not died out, and even yet occasionally the dairy-maid may be seen furtively to put a pinch of salt in the fire at churning time, “so that t’ fairies mayn’t stop t’ butter frae comin’.” The rowan-tree branch used to be placed above doorways to keep away evil influences throughout the north of England, and in the Lake Country the stick used for stirring the cream to counteract the bewitching of the churn is still frequently made of rowan or mountain ash wood.

Among the old superstitions is that of the death strokes :—

“As with three strokes above the testered bed
The parting spirit of its tenant fled.”

The opinion once very commonly prevailed that shortly before the coming of the last summons three distinct raps were heard on the wall immediately over the bed head. This, of course, was nothing more than the noise made by a small worm when trying to bore itself a passage through the decayed woodwork where it had been bred.

“Telling the bees” is a custom in several parts of the country, and is still believed in by some of the old people of these counties. When a death occurred in a household where bees were kept it was deemed desirable for some one to acquaint the occupants of the hives with the fact, and also to tell them on the day of the funeral that the corpse was about to be lifted. The late Mr. W. Dickinson, who by his “Cumbriana,” “Reminiscences,” and “Glossary,” did much to preserve a knowledge of old-time life in the county, said the last case of “telling the bees” which came to his knowledge was at Asby, near Arlecdon, in 1855. To miss taking the doleful news to the bees was held to be a certain way of bringing ill-luck to the house.

Supposed miracle workers have not been lack-

ing. About the middle of the fourteenth century the abbot and canons of Shap had licence from Bishop Kirkby to remove the body of Isabella, wife of William Langley, their parishioner, famed for having miracles done by it, to some proper place within the church or churchyard of Shap, that the reliques might be revered by the people with freer and greater devotion.

“Boggles” have been common in all parts of the two counties; needless to say the dreadful apparitions when inquired about in a careful manner have invariably proved to be very commonplace and harmless creatures or articles. “Boggle” is a Norse word, sometimes equal to personification of diety or saint. Natural phenomena, as *ignis fatuus*, account for some; the mist-mirage explains others. The mist is still called “the haut” (the haunt). Witches, too, have abounded—according to report,—and some were drowned, or otherwise persecuted because of their evil repute. Mary Baynes, the witch of Tebay, died in 1811, aged ninety. She has been described as a repulsive looking woman, with a big pocket tied upon her back, and she was blamed for witching people’s churns, geese, and goslings, so that on account of her witchcraft she became a

terror to her neighbours. Many strange things which happened were laid to her charge, and thoroughly believed by the people. Ned Sisson, of the "Cross Keys Inn," had a mastiff which worried old Mary's favourite cat. The owner decided to have the grimalkin respectably buried in her garden, and a man named Willan dug a grave for it. Old Mary handed Willan an open book, and pointed to something he was to read. But Willan, not thinking it worth while to read anything over a cat, took pussy by the leg, and said :

"Ashes to ashes, dust to dust.

Here's a hole, and in thou must."

Mary grew angry, and warned her companion that he would fare no better for his levity. Soon afterwards Willan was ploughing in his field when the implement suddenly bounded up, and the handle struck one of his eyes, causing blindness. Immediately Mary Baynes was given the credit for having bewitched the plough. The old lady seems to have tried her hand also at prophesy. Once when the scholars of Tebay School were out playing, Mary predicted to them that some day carriages would run over Loupsfell without the aid of horses. The railway now goes over a portion of the land to which she referred, which

was then a large stinted pasture. The best known other "witch" was "Lizzie o' Branton," otherwise Lizzy Batty, a remarkable woman, who, in the early years of this century, occupied a cottage on the roadside between Brampton and Talkin. She acted in a peculiar manner, dressed curiously, and generally "acted the part," with the consequence that she was credited with many supernatural powers. She died in 1817, at the age of eighty-eight. The date of her funeral in Brampton was for long years remembered as the stormiest day the town had ever seen. Although it was in March, yet darkness came on so suddenly that lanterns were lighted at the grave-side, only to be again and again extinguished by the fury of the tempest. A tradition still lingers that those who bore the coffin to the grave solemnly affirmed that it was empty and the body gone.

The belief in the "barguest," now practically gone, was in comparatively recent times common enough to excite but little notice. The term was generally used to denote any kind of ghostly visitant, but referred more particularly to a fearsome creation which was supposed to haunt the fells and dales, and make a horrible noise. Mr. B. Kirkby, in his "Lakeland Words" (1899), gives

the definition as known in North Westmorland :
 “ One who has the power of foretelling the demise of others ; or one who makes a great din.” Mr. Anthony Whitehead says, “ A barguest is a spirit known only through the sense of hearing, being a something which, during the dark hours of night, disturbed the last generations of Westmorland with its awful howling.”

There is no lack of ghostly traditions in connection with families. Perhaps the best known is that belonging to the ancient family of Machell, of Crackenthorpe Hall, near Appleby. Lancelot Machell—the same who in open court tore to pieces Cromwell’s new charter for Appleby—married Elizabeth, daughter of Thomas Sleddall, of Penrith. Her portrait was found on a panel in Penrith some years ago. She was executrix of her husband’s will, and for some alleged injury to her interest in the estate it used to be said that she paid the Machells ghostly visitations whenever the head of the family was about to die. The country folk used to say that she is laid under the big stone called Peg’s Stone, just below Crackenthorpe Hall, her term of incarceration being 999 years. They also say she has been seen driving along the Appleby road at a great pace with

“amber leets” in the carriage, and disappear suddenly in Machell Wood, near the spot called Peg Snedde’s Trough. Indeed, there is extant a most graphic and brilliant account of her passage of the Tollbar at Crackenthorpe, narrated by one “Brockham Dick” (Richard Atkinson, of the “Elephant Inn”), now many years deceased, who kept the gate in his youth, and who used to stick to it with much detail of thrilling circumstance, how one night in each year, when the “helm” wind was blowing, Mrs. Machell made her appearance and passed this gate in offended state. When storms come on upon the fell, Peg is said to be angry, and *vice versâ* in fine weather. An old tree in the neighbourhood of Crackenthorpe called Sleddall’s Oak, is also associated with Mrs. Machell’s name, and here a female figure is supposed to be seen to sit and weep when any misfortune is about to befall any member of the Machell family.

× When farmers find disease among their cattle, whether it be tuberculosis, pleuro-pneumonia, or other undesirable visitation, they no longer pin their faith to the old-time observances. The progress of science has shown better methods of dealing with the disease, and now the stock

owners of the northern counties would be the first to ridicule the means taken by their grandfathers for stopping an outbreak. The "needfire," which has been witnessed by many people who are not yet old, was probably the last remnant of fire-worship in this country. "It was once," says Mr. Sullivan, "an annual observance, and is still occasionally employed in the dales and some other localities as a charm for the various diseases to which cattle are liable. All the fires in the village are carefully put out—a deputation going round to each house to see that not a spark remains. Two pieces of wood are then ignited by friction, and within the influence of the fire thus kindled, the cattle are brought. The scene is one of dire bellowing and confusion: but the owner is especially anxious that his animals should get 'plenty of the reek.' The charm being ended in one village, may be transferred to the next, and thus propagated as far as it is required."

Miss Martineau, in her "Guide to the Lakes," tells a story of a certain farmer who, "When all his cattle had been passed through the fire, subjected an ailing wife to the same potent charm." The last time the "needfire" was used

in the Keswick neighbourhood, Mr. William Wilson says, was in 1841. In some parts of Cumberland and Westmorland there was then an epidemic amongst the cattle. It was brought over the Raise and transferred from farm to farm through the vales. But, at one farm a few miles out of Keswick, the sacred fire was allowed to become extinct, the owner, a well-known statesman, not having sufficient faith in its virtue to take the trouble to transmit it, or even to keep it alight. He told Mr. Wilson that he was severely rated at the time for his lack of faith. That, however, served to kill the popular belief in need-fire, and even when the terrible ravages of the rinderpest, foot and mouth disease, and pleuropneumonia, were emptying the pockets and breaking the hearts of the farmers, not one of them thought of reviving the old "cure." The last time, so far as the writer can find, the practice was reported in the newspapers was this paragraph in the *Patriot* of July 25th, 1834:—

"A sort of murrain, or pestilential fever, is at present prevalent in the county of Westmorland, the popular remedy for which is the fumigation of the infected animals with the smoke of needfire, accompanied by certain mystic signs." The Rev.

J. Wharton, however, well remembers the fire being made at Long Marton about 1843-4, during a murrain. The term "needfire" seems to be a corruption of "neatfire," neat cattle being an old and common term. ✕

Among the legends relating to North-Country residences, an interesting one is concerning Corby Castle and its "Radiant Boy." This—which corresponds to the "corpse lichten" of other countries—has been described as a luminous apparition which made its appearance with dire results, the tradition being that the member of the family who saw the "Radiant Boy" would rise to great power, and afterwards die a violent death. The only example in proof of the tradition so far made known, however, was that of Lord Castlereagh. That statesman was given a wide margin of time after seeing the spectre, as that was supposed to have happened when he was a young man, and he did not commit suicide until 1822.

The superstition as to the skulls at Calgarth, Windermere, has several parallels. Those two skulls formerly occupied a niche in Calgarth Hall, from which they could not be kept for any long time, though they were reputed to attend the ban-

quets at Armboth Hall, Thirlmere, of their own accord ! Above all, "they were buried, burned, reduced to powder, dispersed by the wind, sunk in the well, and thrown into the lake several times, all to no purpose"—truly wonderful skulls !

The superstition concerning "first-foot" has not yet died out ; but the observance is not regarded with that seriousness which ruled half a century ago, and to the next generation, probably, this ancient New Year's custom and belief will have become part of the history of the bygone.

Four Lucks.

CLOSELY associated with the legends of Cumberland and Westmorland, dealt with in the preceding chapter, are the stories of four "Lucks." The best known is that of Eden Hall, which has been made the theme for poems and innumerable descriptive articles. The most popular version of the origin of the Luck is that when a servant was going for water one night to the Fairy Well, in front of the hall he surprised a number of fairies at their revels, with the goblet in the centre of the ring around which they were dancing. The servant seized the Luck, while the fairies gave the ominous warning that

"If this cup should break or fall,
Farewell the luck of Eden Hall."

Numerous poets have woven pretty stories out of the tradition, without attempting to seek the real origin of the treasured possession. The Luck is an ancient glass vessel widening by an easy curve, and terminating in a graceful lip. Its colour is green, with enamel of red, yellow, and blue ; one theory is that its origin was Saracenic,



1.—ANCIENT GLASS VESSEL CALLED THE LUCK OF EDEN HALL.

2.—ITS LEATHER CASE.

3.—INSCRIPTION ON THE TOP OF THE CASE.

and that it was brought from Palestine by a member of the family during the Crusades. Dr. Todd, when Vicar of Penrith, supposed it to have "been used as a chalice, at a time when it was unsafe to have those sacred vessels made of costlier metals, on account of the predatory habits which prevailed on the Borders." If absolute care can preserve it, the Luck is safe, for along with its leathern case, adorned with vine leaves, and having the sacred monogram "I.H.S." on the top, the Luck is rarely taken from its place of security—said to be one of the strong rooms of the Bank of England. Whenever the Luck is exhibited to privileged visitors at the hall, the utmost precautions are taken to prevent even the slightest accident.

"The Luck of Muncaster" is reputed to have been the gift of Henry the Sixth, who stayed for a brief space with the Penningtons, either in 1461 or 1464. The King was in sore straits, for death had robbed him of the service of many of his most powerful adherents; howbeit he still held the affections of large numbers of people in Cumberland and Westmorland. The owner of Muncaster was one of those able and willing to stand by Henry in his necessity, and kept the

King in safety. The room in which the monarch slept is still preserved with great care ; he rested in a carved oak bedstead, which bears his initials and a crown. At parting Henry gave to Sir John Pennington a glass cup or basin, about seven inches in diameter, ornamented with some gold and white enamelled mouldings, with—according to tradition—the assurance that “the family shall prosper so long as they preserve this cup unbroken.” It is unnecessary to do more than mention that this Luck has been celebrated in verse, by way of illustrating the evil designs of a kinsman who desired to destroy both the cup and the fortunes of the Penningtons.

That such a treasured relic should have more than normal risks of misfortune can be well understood. Mr. Roby has mentioned* one of its escapes. “The benediction attaching to its security being then uppermost in the recollection of the family, it was considered essential to the prosperity of the house, at the time of the usurpation, that the Luck of Muncaster should be deposited in a safe place. It was consequently buried till the cessation of hostilities had rendered all further care and concealment unnecessary.”

* “Traditions of Lancashire.”

The box was allowed to fall when being brought again to the surface, which so scared the owners that they fancied that there would be a sudden end to their prosperity. The fright must have been of long duration, for the story is that forty years elapsed ere one daring member of the family, having seen no ill effects from the fall, had the box opened, and experienced the keen delight of finding the Luck uninjured. In the castle are two paintings, one representing the King giving the cup to Sir John Pennington, and another showing the King with the Luck in his hand. On an old freestone slab in Muncaster Church is the inscription, "Holie Kynge Harrye gave Sir John a brauve workyd glass cuppe . . . whyllys the famylie shold keep hit unbrecken thei shold gretelye thrif."

"The Luck of Burrell Green," near Great Salkeld, seems to have passed into the possession of various owners. It is an ancient brass dish of early embossed work, sixteen and a quarter inches in diameter, and one and a half inches deep. Mr. J. Lamb, formerly of Burrell Green, read a paper on the subject two or three years ago to the members of the Archæological Society, and also exhibited the dish. It is circular in form, and at

one time appears to have borne two inscriptions, one in large old English letters in an inner circle around its central ornament, and the other in an outer circle, probably in the same style of lettering. Neither inscription is now legible, although on close examination certain letters may still be discerned, this being due, no doubt, to the amount of cleaning and rubbing it has undergone during late years. Thirty years ago, when greater care was taken of the Luck than has since been the case, and the inscription on the inner circle was rather more distinct than it now is, Mr. R. M. Bailey, a London antiquary, tried to decipher it, and was of opinion that it was in Latin, of which the following is a rendering: "Hail, Mary, Mother of Jesus, Saviour of Men." Like the two other Lucks in Cumberland, the Luck of Burrell Green has its legend and couplet. This is that it was given to the family residing there long ago by a "Nob i' th' hurst," or by a witch, a soothsayer, to whom kindness had been shown, with the injunction that

"If e'er this dish be sold or gi'en
Farewell the Luck of Burrell Green."

The Luck has been in the possession of the respective families residing at Burrell Green for many generations, but its existence has not been

brought very much before the public. In 1879 the late Mr. Jacob Thompson, of Hackthorpe, made a painting of the Luck. Mr. Lamb added :

“Apart from the value of the Luck as an example of ancient art, it may be said to be still more valuable from the mysterious tradition associated with it, and also as appears very probable from the rendering of the supposed inscription in the sacred use to which in all probability it has at some time been applied. From the style of the inscriptions it appears to be of as early a date as the commencement of the sixteenth century, or probably earlier. On the day Burrell Green last changed owners the Luck fell down three times in succession from its usual position, a circumstance which at that time had not been known to have occurred before, it always having been kept in a secure place.”

“The Luck of Levens” is of a kind quite different from the three already mentioned. Levens Hall has attached to it one of the oldest deer parks in England, and within its borders are some peculiarly dark fallow deer. The local people have come to believe that whenever a white fawn is born in the herd the event portends some change of importance in the House of Levens. Four such cases have occurred within living memory—when Lord Templetown came to Levens after the Crimean War, after General Upton’s death in 1883, on the day after Captain

and Mrs. Bagot's wedding in 1885, and in February, 1896, when Mrs. Bagot bore to Levens a male heir. Mr. Curwen, in his monograph on the house, mentions the following "to illustrate the superstition that had gathered round the white deer so early as Lord Templetown's residence at Levens, between 1850 and 1860":—

"A white buck which had appeared in the herd was ordered to be shot, but the keeper was so horrified with the deed, which he thought to be 'waur ner robbin' a church,' that he actually went so far as to remonstrate with the Crimean veteran. Persuasion being of no use, he at last refused point blank to do the deed himself, and another man had to do it for him. In a few months great troubles came over the house. In quick succession it changed hands twice; the stewards, servants, and gardeners all lost their places; and the keeper firmly held to the belief that all was due to the shooting of this white deer."

Some Old Trading Laws and Customs.

WHILE some of the quaint laws connected with markets and fairs in other parts of the country are unknown in Cumberland and Westmorland, others not less interesting may be found in these counties. The searcher after such old-time lore may find a good deal of it in the standard histories, but still more in those byways of local literature which are too much neglected. In this chapter no attempt can be made to do more than touch the fringe of the subject.

There is in existence in the Dean and Chapter Library at Carlisle a monition probably dated towards the end of the fourteenth century addressed to the clergy of the diocese, requiring them to see the constitution of Otho strictly carried out—all fairs being banished from churchyards and suspended on Sundays and solemn feasts. Churchyard fairs were for the emolument of the churches, and were styled by the name of the saint whose example is inculcated by the church's name. The late Canon Simpson, one of the most eminent antiquaries in the two counties, proved that, in

England at least, no church was ever dedicated literally to a saint. Fairs, especially "pot fairs," still prevail in church cloisters in Germany.

Meat selling at church doors was common in the fifteenth and sixteenth centuries, and even so late as the time of Charles the Second. The only instance of such a thing occurring in Cumberland of which there is record now was at Wigton. In one of the old local histories appears the following note :— " The Rev. Thomas Warcup, who erected his monument in the churchyard long before his death, was obliged to fly from Wigton on account of his loyalty during the Civil Wars. After the restoration of King Charles he returned to the Vicarage, and tradition says that the butcher market was then held upon the Sunday. The butchers hung up carcases at the church door, to attract the notice of customers as they went in and came out of church, and it was not unusual to see people who made their bargains before prayer began, hang their joints of meat over the backs of the seats, until the pious clergyman had finished the service. The zealous priest, after having long but ineffectually endeavoured to make his congregation sensible of the indecency of such practices, undertook a journey to London on foot,

for the purpose of petitioning the King to have the market day established on the Tuesday, and which he had interest enough to obtain."

Warcup became Vicar of Wigton in 1612, and possibly on the principle that he was the best qualified to write his own epitaph because he knew himself better than was possible for another to know him, he prepared the following, which he had put on a headstone many years before his death :—

" Thomas Warcup prepar'd this stone,
To mind him of his best home.
Little but sin & misery here,
Till we be carried on our bier.
Out of the grave & earth's dust,
The Lord will raise me up I trust ;
To live with Christ eternallie,
Who, me to save, himself did die."

There was a keen rivalry between Crosthwaite and Cockermouth at the beginning of the fourteenth century. The townsmen sent a petition to Parliament in 1306, stating that owing to the sale of corn, flour, beans, flesh, fish, and other kinds of merchandise at Crosthwaite Church on Sundays, their market was declining so fast that the persons who farmed the tolls from the King were unable to pay the rent. An order was soon

afterwards issued stopping the Sunday trading at Crosthwaite. But the fairs and markets in churchyards on week-days were not prohibited by statute for two hundred and eighty years after the Cockermothians sought protection. The orders thus issued were not long recognised, but collectors of scraps of local history in all parts of the county have added to the general knowledge on this point.

The announcing of sales in churchyards was in the early part of this century a common custom. At Crosby Ravensworth the clerk hurried from his desk immediately the service was concluded, followed by the congregation, and mounting the steps he announced when a person's sale by auction would take place, and read out any notice given to him, for which service he received a fee of fourpence. The custom has long since become obsolete ; old William Richardson called the last notice in 1837. It has been asserted, with what amount of truth need not be too closely inquired into, that when this method of advertising public events was forbidden, the attendance of the parishioners at public worship showed a rapid falling-off. The custom of churchyard proclamations prevailed at Orton in the early part of

the century, and the inscriptions on certain horizontal tombstones have been obliterated by the hob-nails in the clerk's boots. While necessarily there must have been a great diversity in the articles announced in the churches or churchyards as likely to be submitted for public competition, it would be difficult to find a parallel for this paragraph, which appeared in the *Pacquet* for March 8th, 1791 :—"A few months ago a person in very good circumstance at no great distance from Ravenglass buried his wife. His son, a few days since, also became a widower, and on Sunday, 27th ult., a sale of their wearing apparel was published at all the neighbouring parish churches ! Whether motives of economy suggested the measure, or a wish to remove whatever could remind the disconsolate survivors of their loss, can only be guessed at."

Among the relics treasured by Lord Hothfield at Appleby Castle, is an article reminding the visitor of the days when free trading was unknown. This is the principal corn measure which was used in the market at Kirkby Stephen more than two hundred years ago ; its purpose and record are stated in the raised letters which run around the copper measure a little below the rim :—

“The measure of Thomas, Earle of Thanet Island, Lord Tufton, Lord Clifford, Westmorland, and Vescy, for the use of his Lopps [lordship’s] market at Kirkby Stephen in Westmorland, 1685.”

In the same building are two other corn measures, smaller than the Kirkby Stephen measure just mentioned. One bears only the word “Thanet,” and a coronet. The other measure, of different design, with the monogram, “A. P.” in raised characters, indicates approximately its age, as it was obviously the property of the Countess Anne of Pembroke. The measures, made of bell metal, formerly in use in Sir Richard Musgrave’s manor at Kirkoswald, are still carefully preserved by Mr. John Longrigg, the last steward.

How long the proclamation has been read at the St. Luke’s Fair at Kirkby Stephen is unknown; certainly for a couple of centuries the practice has been observed, and possibly for a much longer period. Although some of the terms have now no effect, nor the cautions any value, the proclamation is still made, the following being the terms of a recent one :—

“O yes, O yes, O yes, The Right Honourable Henry James Baron Hothfield, of Hothfield, Lord Lieutenant of the County of Westmorland, Lord of the Manor of Skipton

in Craven, and Lord and Owner of this Fair, Doth strictly Charge and Command in Her Majesty's name that all persons keep Her Majesty's Peace, and not to presume to ride or go armed during the time of this Fair to the disturbance of Her Majesty's Peace, in pain to be punished according to the Statute in that case made and provided ; and also that all persons bargain and sell lawful and sound goods and merchandise, and pay their due and accustomed tolls and stallages, use lawful weights and measures, upon pain to forfeit the value of their wares and merchandise ; and also that buy, sell, or exchange any horse, mare, or gelding, that the sellers and buyers thereof repair to the Clerk of the Tolls, and there enter their names, surnames, and places of abode of all such persons as shall buy, sell, or exchange any such horse, mare, or gelding, together with the price, marks, and vouchers at their perils ; and lastly if any person have any injury or wrong done by reason of any bargain or contract, during the time of this Fair, let them give information thereof, and the same shall be tried by a Court of Pie Poudre, according to law.

“God save the Queen, and the Right Honourable Henry James Baron Hothfield.”

Needless to say, the Court of Pie Poudre has not sat for many years now.

Many curious and interesting customs were once connected with the holding of markets and fairs ; a few of these survive, though not in the form once known. The practice a little over a century ago at Ravenglass, where a fair was held on “the eve, day, and morrow of St. James,” has been thus described : “On the first of these days

in the morning, the lord's officer, at proclaiming the fair, is attended by the serjeants of the Lord of Egremont, with the insignia belonging thereto ; and all the tenants of the Forest of Copeland owe a customary service to meet the lord's officer at Ravenglass to proclaim the fair, and abide with him during the continuance thereof ; and for sustentation of their horses they have two swaiths of grass in the common field of Ravenglass in a place set out for that purpose. On the third day at noon, the Earl's officer discharges the fair by proclamation ; immediately whereupon the Penningtons and their tenants take possession of the town, and have races and other divertisements during the remainder of that day."

The laws of the old Corporations at Kendal, Carlisle, and Appleby, and the guilds and societies at other places, were very stringent, and far surpassed the most exacting rules of the trades unions in our own day. This statement may speedily be verified by a reference to the reprinted Kendal "Boke of Recorde." The "shoddy cloth man" appears to have flourished almost as much three hundred years ago as he does to-day ; at any rate he was sufficiently in evidence to cause the Corporation to pass a very stringent order in

regard to "Clothe Dightinging." The excuse for the imposition of the regulation was that "Sundry great complaints have been made in open Court of the insufficient and deceitful dressing andighting of clothes uttered and sold within the town, as well by the inhabitants as foreigners coming to the same, therefore it is ordered by the Alderman and head burgesses of the borough with the full assent of the most part of the fellowship of Shearmen now dwelling within the borough, that if any person or persons either now resident in the town or shall hereafter be resident here or in the country adjoining, shall from henceforth have or bring any pieces of cloth to sell or utter within this borough to any person, not being well and sufficiently dight and dressed throughout in all points alike, as well one place as another, in cotton, nop, or frieze as it ought to be ; the same being so found by the four sworn men of the same occupation from time to time appointed, shall forfeit and lose for every such piece 2s. 4d., the half thereof to the Chamber of this borough, and the other half to the takers of the same."

A further order provided that if any piece of cloth was not "well, truly, and sufficiently made in all places alike, and all parts thereof of like

stuff as it ought to be, or which shall not be clean washed and clean without blemish left in it, upon the like pain of 2s. 4d., to be forwarded by the maker to those before limited for the first fault, and for every fault then after committed and duly proved, the fine and penalty to be doubled." Factory and workshop inspectors, of a sort, were not unknown three hundred years ago. The Corporation ordered the appointment of four members of the "Company and fellowship of tayllers" to be known as searchers or overseers, having power to have the oversight of all faults, wrongs, and misusages happening or done in the trade. The order did not long remain in force before the Corporation decided to repeal them, but two or three years later they were revived by common consent, and ordered to continue during pleasure. In still later times travelling tailors were a brotherhood, and within the last fifty years when on their journeys levied money on the resident fraternity.

Cordwainers, when the "Boke of Recorde" was compiled, were only allowed to do certain kinds of work, and were forbidden to "spetche," or patch boots. Tailors, too, could not employ any man who might apply for work, there being

a very strict law about the employment of freemen in preference to those not free; nor could the shearmen enjoy any greater liberty in their trading operations. One rule ran: "No countryman or person not free shall be permitted to bargain, buy, exchange, trade, sell, or utter within this borough or the precincts hereof, any clothes for outside as a shearman, save only such as be occupiers now of the same trade, or such as shall purchase their freedom, upon pain to lose ten shillings, whereof to the Chamber 5s., and Company 5s."

There was a salutary rule about the selling of meat on Sundays: "From henceforth no butcher, or other his servant, or factor shall sell or utter any flesh or other victuals or meat out of any shop or stall within the borough or liberties, or the precincts of the same, or keep any his or their shop or warehouses open or unshut up after the ending of the third peal or bells ringing to morning or evening prayer on any Sunday or other festival day, upon pain to lose to the Chamber of this borough 12d."

The laws against forestalling, regrating, ingrossing, and otherwise interfering with the due course of trade, were very strict in the markets held under manors and also in those otherwise

regulated. The practice was, however, not peculiar to Cumberland and Westmorland. One other rule from Kendal may be mentioned as showing the steps taken for preventing skins being hoarded up, until prices became high : “ It shall not be lawful for any butcher or other person dwelling out of this borough or the liberties of the same from henceforth to bring into the borough to be sold, either on the market day or in the week-day any sheepskin (except the same skin—having the ears upon it—be cleaving unto the head or carcase of such flesh where upon it did grow) being so brought to be sold, nor that they nor any of them shall sell, or offer, or put to sale, any such skin on any market day so brought to be sold unto the borough before ten o’clock before noon, upon pain to lose and forfeit as much as 2s.”

The penalty for buying victuals before they arrived at the market was forfeiture, while it was further ordered that “ no man or woman shall suffer any corn to be sold or measured in their houses upon pain of 6s. 8d., but that all corn shall be bargained, bought, and measured in open market only.”

An old native of the borough not long ago

assured the writer that when he was a boy, in the old coaching days, the suspicion of "poaching" extended even to the lawyers, for, said he, "At the Assizes at Appleby the Bar had all to enter the borough together, or not before a certain hour, lest one individual might secure more than a fair share of the briefs."

Market-bells are still rung at various places in the two counties. That in St. Andrew's Church, Penrith, is sounded every Tuesday morning at ten o'clock, before which hour business is supposed to be forbidden. The same rule prevails at Appleby, where the bell hangs in a campanile over the Moot Hall. This, of course, is a survival of the days when forestalling was a very serious offence—and properly so. The archives of the Corporation of Carlisle contain documents bearing on the connection of the bells with trading. Mention of the market-bell appears in the bye-laws of 1561, thus : " Itm that noe outman shall sell any corn to any fore nor to such tym as the market bell be rounge on payn of forfitor." Happily it is not possible to apply to all the saying used with reference to one old market in West Cumberland—that "it opens at twelve o'clock and closes at noon," the meaning, of course, being that there is little or no market

left. It was recorded by Mr. Green, the noted artist, that at Ambleside the market was crowded by small merchants, “ who were called together by the tinkling of a small bell. Then all was bustle and animation ; joy beamed in every countenance, for all the traffic was for ready money, and every individual lived upon the produce of his labour.”

Old-Time Home Life.

THERE is a very great store of gossip and anecdote in existence which might be utilised to illustrate the picturesqueness of old-time life in Cumberland and Westmorland. Whether the lack of sanitary comforts, intellectual facilities, and of opportunities of seeing the world or of knowing of its doings, were counterbalanced by the freedom from care and the quiet humdrum lives, which were led by the majority of the people in the two counties, is an open question. An anecdote told in a book published well-nigh a century since, well illustrates the simplicity of life among Lakeland folk generations ago. A foreign physician, eminent in his profession, practiced in the neighbourhood of Keswick. He was one day asked by another medical man how he liked his position. "My situation," he replied, "is a very eligible one as a gentleman; I can enjoy every species of country amusement in the greatest perfection; I can hunt, shoot, and fish among a profusion of game of every kind; the neighbouring gentlemen, too, seem to vie with

each other in acts of politeness. But as a physician I cannot say that it is so alluring to me, for the natives have got the art of preserving their healths and prolonging their lives without boluses or electuaries, by a plaster taken inwardly, called thick poddish. This preserves them from the various diseases which shake the human fabric, and makes them slide into the grave without pain by the gradual decay of nature."

As might be supposed, a people possessing so many primitive habits, and whose lives were so circumscribed, had numerous peculiar contrivances in their homes. Some of these have been so long out of use that their purpose has almost passed from memory. Before the days of mineral oils, the general means of illumination, both in mansion and cottage, was the rushlight. These candles were made of the pith of rushes, dipped in melted tallow. They were fixed for use in an arrangement known as a "Tom Candlestick," which in the early years of this century were common objects in every village home. Mr. Anthony Whitehead, in the last edition of his Westmorland poems (1896), mentions a curious belief in this connection—that the rushes were not considered fit for use unless pulled at the full moon.

A love of finery has seldom been a failing with the residents in the country districts of Cumberland and Westmorland, and especially was this the case before travel became easy. In the days when at the most the ordinary folk only saw the shops of a town on "term day"—and in a vast number of instances that would only occur on a few occasions in a lifetime—dress was of the most homely and substantial sort. "Hodden grey" for the men and correspondingly good wear for the females—most of it home made—were the ordinary fabrics. Clogs were worn at one time by all classes, from parson down to the poorest labourer, and even on Sundays the wearing of boots or shoes was often an indication of the owner being a person of some local consequence. The housewives had a curious method of preserving the stocking heels, which was probably more efficacious than cleanly. They took care to "smear the heels of the family's new stockings with melted pitch, and dipped them immediately in the ashes of turf. The glutinous mixture incorporated with the woollen, and altogether formed a compound both hard and flexible, which was well adapted to resist the united friction of wood and leather." The utility of clogs for certain purposes

is undoubted, but this useful kind of footgear is apparently losing its popularity.

There have been plenty of descriptions left—by old-time tourists and home historians—at various periods of the methods of life of the people, and they generally agree that the costumes, especially of the dales-folk, were picturesque. The homespun material was frequently undyed, black and white fleeces being mixed to save the expense of dyeing. This homely material, which is still made in some parts of Scotland and Ireland, has in recent years been pronounced by fashion to be superior, for country wear, to the most finished products of the steam loom ; so that now the most elegant ladies do not disdain to wear dresses of the self-same homespun of which our ancestors made their “kelt coats.” These coats were ornamented with brass buttons, as were the waistcoats, which were made open in front for best, in order to show a frilled shirt breast. Knee breeches were the fashion for centuries. They were buttoned tight round the body above the haunches, so as to keep up without braces. Those used for best had a knot of ribbon and four or five bright buttons at the knee, and those who could afford it, had them made of buckskin. Their

stockings, which were a conspicuous part of the dress, were also made from their own wool, the colour being generally blue or grey. On their feet they wore clogs on ordinary occasions, but when dressed in holiday costume, they had low shoes fastened with buckles which were sometimes of silver.

That picture is a pleasant one ; the life in the home was less picturesque. Churches and farm houses (especially the bedrooms) had next to no ventilation. The sanitary—or rather insanitary—state of country places was deplorable, and fevers of a very fatal character were common. The records of the desolation wrought by some of them is melancholy. Open drains and sewers in immediate proximity to farm houses were very usual. Bedrooms very often communicated through the length of a house. This was economy ! A passage or corridor was not required. A leading clergyman, not finding a casement which would open in a church where he was officiating, extemporized ventilation by smashing a pane of glass. In the country cottages and farm houses, as well as in many habitations in the towns, the chimneys had no flues, and were funnel-shaped, being very wide at the bottom and gradually contracting to

the top, where they had an aperture of the size of an ordinary chimney, through which the smoke escaped. In these open chimneys, hams, legs of beef, flitches of bacon, and whole carcasses of mutton were hung to dry for winter consumption. Clarke, in his "Survey," mentions having seen as many as seven carcasses of mutton hanging in one chimney in Borrowdale, and was told that some chimneys in the vale contained more. Few of these old-fashioned chimneys are now to be found in the country.

Wheat has never been grown in large quantities in Cumberland and Westmorland; hence the necessity in former days for oat, rye, or barley bread being the staple foodstuffs. Certainly the Westmorland oatmeal, which required to pass through many processes, and to be stored with very great care, was the staff of the rural households. It was used in a variety of ways. There was the porridge for breakfast and supper, the thin oatcake serving the main purposes of white bread in these days, and the "crowdy"—an excellent and invigorating species of soup, made by pouring the liquor in which beef was boiling, over oatmeal in a basin. Oatmeal also entered into the composition of pie-crusts and ginger-

bread, like the famous Kendal "piggin bottoms"—snaps stamped out of rolled dough by the iron rim which formed the external base of the wooden "piggin" or "biggin," a diminutive wooden tub used as a receptacle for various household requisites. Many good houses had either no oven or a very small one, and pies were baked in a huge iron pan covered all round and above the massive lid, too, with burning peats. Hence the contents were equally cooked on all sides.

The extent to which flesh meat, both fresh and cured, was used two or three centuries ago, must have been much less per individual than is now the case. Leaving out of account the cost to the poor—and the mere fact that meat was sold for a very few pence per pound does not necessarily indicate that it was therefore low-priced—there was not a great quantity available. The art of winter fattening of sheep and cattle was unknown, and so artificially preserved meat had to be depended upon after Martinmas, or at the best between Christmas and spring. One old chronicler wrote:—"The supply of animal food proved inadequate to the demands of the community, for the fat stock, fed in autumn, being killed off by Christmas, very little fresh meat appeared in the

markets before the ensuing midsummer, except veal. The substantial yeomen, as well as the manufacturers, provided against this inconvenience by curing a quantity of beef at Martinmas, the greatest part of which they pickled in brine, and the rest was dried in the smoke. Every family boiled a sufficient piece of their salt provisions on Sunday morning, and had it hot to dinner, frequently with the addition of an oatmeal pudding. The cold meat came day after day to the table so long as any of it remained, and was as often eaten with oat-bread alone. At the same time a wooden can, full of the briny liquor in which the beef had been cooked, was placed, warm and thickened with a little meal, before each person by way of broth. The stomach was encouraged in the better sort of houses to digest these stubborn materials by a supply of pickled red cabbage, which was prepared for the purpose in October or November. Hogs were slaughtered between Christmas and Candlemas, and converted principally into bacon, which, with dried beef and dried mutton, afforded a change of salt meat in the spring. The fresh provisions of winter consisted of eggs, poultry, geese, and ill-fed veal."

In this connection it would be very interesting

to know whether the provisions of the will made by Thomas Williamson on December 14th, 1674, are in any way carried out, or what has become of the charity. He bequeathed the sum of £20 to be laid out in land to be bestowed upon poor people, born within St. John's Chapelry, or Castlerigg, Cumberland, in mutton or veal, at Martinmas yearly, when flesh might be thought cheapest, to be by them pickled or hung up and dried, that they might have something to keep them within doors during stormy days.

If animal flesh was dear, despite its small cost, there was some compensation in another way. After the salmon season commenced, great quantities of this modern luxury were brought from Carlisle and West Cumberland, and sold in other markets in the two counties. The price was frequently as low as a penny, and not often higher than twopence per pound, the lack of carriages and roads of a decent character rendering conveyance for long distances anything but an easy task. Then the poverty of the people further south offered the owners of the fish no inducements to carry the commodity into Lancashire. The abundance and cheapness of salmon seem to have been proverbial. How far

the story may be true the writer cannot say, but it is worth while noting that a condition concerning apprentices in some west of England towns, is also recorded as applying to the Charity School at Kendal. The boys apprenticed from that institution were not to be compelled to dine on salmon, or on fish in general, oftener than three days in the week.

Much worse was the condition of the labouring folk of the lower class, who are said to have "subsisted chiefly on porridge made of oatmeal or dressed barley, boiled in milk, with the addition of oat-bread, butter, onions, and a little salted meat occasionally." This meagre diet was probably the cause of the agues which were once very common, especially in the country districts. The disorder, to a large extent, disappeared when the culture of vegetables became more general, and salted provisions less essential. Up to 1730 potatoes were very sparingly used, and were chiefly grown near Kirkby Lonsdale.

Many of the old stories of the curious methods of dealing with tea, before it became a common and indispensable article on the tables of all classes in this country, are obviously either untrue or exaggerated. Hence the veracity of the

following statements, which appeared in print in Westmorland in the first decade of this century, is not vouched for:—"Not long after the introduction of potatoes, tea became a favourite beverage with the women, in spite of a steady opposition from the men; perhaps it found its way into the north in form of presents. From the method of preparing this foreign luxury not being generally understood, these presents were sometimes turned to ridiculous uses. One old lady received a pound of tea from her son in London, which she smoked instead of tobacco, and did not hesitate to prefer the weed of Virginia to the herb of China. Another mother converted a present of the same sort and magnitude into a herb pudding; that is, she boiled the tea with dressed barley, and after straining off the water, buttered the compound, which she endeavoured to render palatable with salt, but in vain, for the bitter taste was not to be subdued."

How unfavourably the introduction of tea was regarded, by some writers at any rate, may be gathered from the following paragraph, which appeared in the *Pacquet* of October 23rd, 1792:—"A correspondent says that in the neighbourhood of Greystoke, during the late harvest, added to an

increase of wages, the female reapers had regularly their tea every afternoon, and the men, toast and ale. How different is this from the beef-steak breakfasts of old! How degenerate is the present age, and how debilitated may the next be!"

Oat-cake and brown bread are less favoured in the two counties than was formerly the case, a fact which was often deplored by the late Bishop of Carlisle, Dr. Goodwin. It is not a little curious that two articles which formed the staple portions of the diet of the people from sixty to a hundred years ago, should now be regarded more in the nature of luxuries. As an example of the sparing way in which "white flour" was used, an old Appleby native tells a story concerning what happened at a good hostelry in the borough, sixty years ago, at a time when wheaten flour was very scarce, but butcher meat very plentiful. Among other good substantial things on the table was a huge meat pie, at the shilling ordinary. Just, however, as the "head of the table" was about to cut the crust, the waiter whispered to him, "Please, sir, missis says flour is so dear, ye must run t' knife round t' crust and lift it clean off on to my tray to do another time."

From the remains of ancient structures it is

still possible to draw good pictures of the way the old inhabitants passed their lives therein. The late Dr. M. W. Taylor by that means elaborated the story of the daily doings of the people, from lord to vassal, who inhabited Yanwath Hall. A similar picture has been presented by Mr. J. F. Curwen in his monograph on Levens Hall "in the bygone":—

"Just within would be the raised dais, with its flanking window bay, and the long table, at the higher side of which the lord with his family and any distinguished guests took their meals, whilst on the floor below those of an inferior rank were seated at tables ranging along each side of the room. At the opposite, or western, end, the oaken screens, nine and a half feet high, extended across the full width, dividing off the heck or passage, from which opened out the kitchen, buttery, and other offices, and from over which the musicians in the minstrels' gallery would on all occasions of more than ordinary importance enliven the feast with their melody. This hall was also used for the transaction of business between the lord and his vassals, for here he would hold his royalty court, receiving their suit and service, and administer justice according to

the powers granted to him by the Crown. At night time the retainers would huddle together on the thickly strewn rushes in the middle of the floor, around the fire and its convolving wreaths of smoke ascending to the open lantern in the roof. For it must be remembered that chimneys were not introduced into England, except to a few castles, until the fifteenth century, about the time when the Redemans would be transferring Levens to Alan Bellingham."

With chimneys came new taxes, and some of them were not only keenly resented, but evaded as openly as was possible. The people seem to have had a special dislike to the tax of two shillings a year which was passed in the twelfth year of Charles the Second, for that was a heavy sum, having regard to the value of money then. Among the manuscripts preserved at Rydal Hall, Westmorland, by the le Flemings, are a great many references to this tax. There were schemes for substituting other imposts, as appears by a sentence contained in a letter (May 10th, 1669) by Daniel Fleming, Rydal, to Joseph Williamson, who had just purchased the estate of Windermere, near Temple Sowerby:—"There are rumours one while that the Scots are up in armes, another

while that bishops and dean and chapter lands will be sold, or annexed to the crown in the place of the excise and hearth money, and bishops to be maintained by salaries out of the exchequer."

Another document is from the Lords Commissioners to the justices of the peace in the Barony of Kendal, concerning the collection of the hearth tax, and an item in a news-letter of April, 1671, says, "This day the Lord Treasurer received proposals for the farm of the hearth money; those who propose to keep it as it was, advancing only £100,000, are to make a new offer." During the following summer another came "from the Court at Whitehall" to the justices of the peace for Westmorland, "Cautioning them against allowing exemptions from hearth money too readily. They should consider firstly who are they whom the law intends to be exempted. Then they should appoint petty sessions for the signing of certificates at such times and places that the royal officers may attend and be heard. It cannot be supposed that the law intends to oblige the justices to allow whatsoever shall be offered them without examining the truth thereof." A news-letter of

April 23rd, 1674, gives an idea of the extent of the tax in the following sentence:—"This day the farm of the hearth money was made and let to Mr. Anslem, Mr. Perry, and Mr. Buckley, at £151,000 per annum, and £25,000 advance, commencing at Michaelmas next."

Some of the entries are of special interest to Cumberland and Westmorland. Thus in a letter to Daniel Fleming on January 8th, 1674-5, Robert Joplin, writing from Kendal, "apologises for writing as he had not been able to wait upon him. Has been seven weeks in the country, and surveyed and taken account of all the hearths in most of the market towns of this county, and in Cumberland. Had always behaved with all civility. If he will have the duplicates of the surveys made they will be handed in at the next sessions." A week later Robert Joplin and Richard Bell, the collectors of the hearth tax, report to the justices of Kendal: "Have surveyed most of the market towns in the two counties, levying the tax of 2s. on every fire hearth. Would not proceed to distrain without the justices' permission. Some refuse to pay because they were not charged before. All kitchens and beerhouses refuse on the same pretence. Many hearths have been made up, most of them

lately. We trust that the justices will be very careful in giving certificates."

A few days afterwards Nathaniel Johnson, another collector of the tax, writes from Newcastle to Daniel Fleming that he "does not think the determination of the justices to proceed in the matter of the hearth money under the old survey, until the new is perfected, is consistent with the law; nevertheless he will yield to their opinion." Johnson proves to be a difficult official with whom to deal, and he writes to Fleming in July, "Remonstrating against the conduct of the Kendal magistrates in the matter of the hearth money. It has been already decided that smiths' hearths are liable. The practice of walling up hearths in a temporary manner is plainly fraudulent. The magistrates ought not to countenance such things, nor refuse the evidence of officials engaged in this business, for of course none other can be made. May reluctantly be compelled to appeal against their proceedings."

These and similar protests did not appear to have much effect, though frequently repeated, and ten years later came an order from the Lord High Treasurer to the Clerk of the Peace of the county of Lancaster, to be communicated to the justices,

in view of the difficulties raised by them in the collection of the hearth money: "The duty is to be levied on empty houses, smiths' forges, innkeepers' and bakers' ovens, on landlords for tenements let to persons exempt on account of poverty, on private persons where there is a hearth and oven in one chimney. The duty may be levied on the goods of landlords and tenants which are not on the premises whereon the duty arises."

There is a rather amusing reference to the subject in a letter sent by William Fleming to his brother Roger Fleming, at Coniston Hall: "Tell the constable the same hearth man is coming again. Tell him to be as kind as his conscience will permit to his neighbours, and play the fool no more. The priest and he doth not know how happy they are."

The means available, in bygone days, for quenching fire were, everywhere in the two counties, of a most primitive character. In March, 1657, the Corporation of Kendal decreed, as there had "happened of late within this borough great loss and damage by fire," and the Corporation had not fit instruments and materials for speedy subduing of the flames, that the Mayor and Alderman

should each provide two leathern buckets, and each burgess one such bucket, before May 1st following, the penalty being a fine of 6s. 8d. in the case of the leading men, and half that amount for default on the part of others.

Sports and Festivities.

IT is almost impossible to separate the sports of the Cumberland and Westmorland people from the festivals, inasmuch as some of the pastimes were prominent items in gatherings even of a semi-religious character. Wrestling, that finest of North-Country exercises, has been practically killed by the competition of other athletic games, but more than all by the “barneying” so often practised by the wrestlers. To this cause must be ascribed the fall of the “mother ring” at Carlisle, and the disfavour into which the sport has dropped in all parts of the two counties, albeit the Grasmere exhibitions are still kept up to a fair standard of honesty. For centuries it was the greatest amusement of fellsider, dalesman, and town dweller, and it was no uncommon thing for men to walk, in the pre-railway days, twenty miles to a wrestling meeting. Pure love of sport must have been the motive, because the prize usually consisted only of a belt of the value of from ten shillings to a sovereign—often much less—and a small sum of money which would now be looked

at with contempt even when offered by way of "expenses." The men whose prowess gained them more than local fame were often almost perfect specimens of what athletes should be at their respective weights, and their skill cannot be approached by any of the medium and light weights now in the ring. For several other reasons the sport is entitled—unfortunately so—to be classed among things belonging to the bygone, and to the next generation wrestling, as understood at the Melmerby and Langwathby Rounds fifty years ago, will be unknown.

Clergymen have often been included among the best wrestlers of their time, especially in West Cumberland, though some who as young men were noted for their prowess in this direction gave up this sport when they took holy orders. William Litt, whose name will always have a place in local sporting annals through his book, "Wrestliana," was intended for the Church. His tastes were so obviously in other directions that the plan had to be abandoned, and he developed into one of the finest wrestlers of his time. The Rev. G. Wilkinson, Vicar of Arledon, and the Rev. O. Littleton, Vicar of Buttermere, were also ardent followers of the sport; while the Rev. A. Brown,

Egremont, and the inventor of the "chip" known as buttocking, was described as one of the best exponents of the old game to be found in the north of England.

A sporting custom peculiar to the two counties—for the nobleman most concerned has immense possessions in each—is the race for the Burgh Barony Cup. The meeting has been well described as "a singular old-world institution, one of a number of antiquated customs mixed up with the land laws." The races are held to celebrate the "reign" of a new Lord Lonsdale, consequently no earl ever sees more than one—at least when he is the head of the family. The last meeting on Burgh Marsh was in March, 1883, when the arrangements were on a royal scale, thousands of persons being present, an enormous number of them as the guests of his lordship. Wrestling formed an important part of the proceedings during the two days, but the central item was the race for the cup. The competitors were confined to animals owned by free or customary tenants within the Barony, and the winner of the hundred guineas trophy was greeted with frantic cheering.

Carlisle possesses a unique racing relic. The "horse courses" were formerly held on Kingmoor,

and the "Carlisle bells" were doubtless prized as much in their day as the stakes for £10,000 are now. The articles frequently figure in the Municipal Records as the Horse and Nage Bells, and were for a long time lost, being ultimately found in an old box in the Town Clerk's office. Mr. Llewellyn Jewitt, F.S.A., some twenty years ago gave this description of the relics: "The racing bells are globular in form, with slits at the bottom, as is usual in bells of that class. The loose ball which would originally lie in the inside, so as to produce the sound, has disappeared. The largest, which is two and a quarter inches in diameter, is of silver gilt, and bears on a band round its centre the inscription [each word being separated by a cross]:

+ THE + SWEFTES + HORSE + THES +
 BEL + TO + TAK
 + FOR + MI + LADE + DAKER + SAKE

This lady was probably Elizabeth, daughter of George Talbot, fourth Earl of Shrewsbury, and wife of William, Lord Dacre of Gilsland, who was Governor of Carlisle in the reign of Queen Elizabeth. The other bell, also of silver, is smaller in size, and bears the initials H.B.M.C. (Henry Baines, Mayor of Carlisle), 1559. On Shrove

Tuesday Kingmoor became a busy scene, and the contests created much excitement among the free-men and others. The bell was not an uncommon prize, either in horse-racing or cock-fighting, and was held by the victor, as challenge cups and shields are at the present day, from one year to another, or from one race to another. To win this race was of course a mark of honour, and gave rise to the popular expression of 'to bear away the bell.' At York the racing prize in 1607 was a small golden bell, and the Corporation Records of Chester about 1600 show that in that city a silver bell was given to be raced for on the Roodee; but I am not aware that any of them are now in existence. Probably the Carlisle examples are unique."

There are many other evidences that racing has for several centuries been a favourite pastime with the people of Cumberland and Westmorland. The race meetings seem to have been made occasions for county gatherings of other kinds, and especially for cock-fights—a sport which has not yet entirely died out. The following advertisement of Penrith races in 1769, which appeared in the *St. James's Chronicle* for that year, may be quoted as an example of many others, relating not



CARLISLE RACING BELLS.

only to Penrith but to other towns in the two counties :—

Penrith Races, 1769.

To be run for, on Wednesday, the 24th of May, 1769, on the new Race Ground at Penrith, Cumberland.

Fifty Pounds, by any four Years old Horse, Mare, or Gelding, carrying 8st. 7lb. Two-mile Heats.

On Thursday, the 25th, Fifty Pounds, by any Horse, &c., five Years old, carrying 9st. Three-mile Heats.

On Friday, the 26th, Fifty Pounds, by any five, six Years old, and Aged Horse, &c. Five-year Olds to carry 8st. 3lb. Six-year Olds 9st., and Aged 9st. 8lb. Four-mile Heats.

All Horses, etc., that run for the above Plates, to be entered at the Market Cross on Saturday, the 20th Day of May, between the Hours of Three and Six o'Clock in the Afternoon. The Owner of each Horse, &c., to subscribe and pay Three Guineas at the Time of Enterance towards the Races, and Two Shillings and Six-pence for the Clerk of the Race.

Certificates of each Horse, &c., to be produced at the Time of Enterance. Three reputed running Horses, &c., to enter and start for each of the above Plates, or no Race.

If only one Horse, &c., enters, to receive Ten Pounds, if two Fifteen between them, and their Subscription paid at the time of Enterance returned.

All the above Plates to be run for in the royal Manner, and any Dispute that may arise to be determined by the Stewards, or whom they shall appoint.

The several Plates will be paid without any Deduction or Perquisite.

Stewards. { CHARLES HOWARD, jun., Esq.
 { ANDREW WHELPDALE, Esq.

 A Cock Main, Ordinaries, and Assemblies, as usual.

Not less interesting than the foregoing announcement is the report of the event. There was never much attempt at descriptions, either of races or cock-fights, though one would like to know the names of the gentlemen indicated in this closing paragraph of the report : "At this Meeting a Main of Cocks was fought between the Gentlemen of Cumberland, David Smith, Feeder, and the Gentlemen of Westmoreland, Thomas Bownas, Feeder, which consisted of 21 Battles, 16 whereof were won by the former, and 5 by the latter ; and of the 15 Bye-Battles Smith won 6, and Bownas 9."

Dalston was long the headquarters of cock-fighting in Cumberland—"Dalston Black-reeds" are still spoken of as the best birds of the kind in the world. There is a tradition to the effect that cock-fighting was once carried on at Rose Castle, in the parish of Dalston, but the Rev. J. Wilson * took particular pains to disprove the assertion. Against that must be put the following sentence which appeared in *Good Words* for December, 1894 : "One curious adjunct to an episcopal residence, speaking loudly of the change of manners and the amelioration of tastes, is the cock-pit,

* *Carlisle Journal*, May, 1895.

where matches are said to have been at one time fought for the amusement of the Bishop and his friends." The favourite day for cock-fights was Shrove Tuesday.

Cock-fighting was far from being the only barbarous sport enjoyed by the people of the northern counties. Bull-baiting and badger-baiting were probably never more popular than at the time when they were prohibited by law in 1835. There is still the bull ring at Appleby, and the spectators' gallery was removed within living memory. At Kirkoswald and several other market-places in the two counties the rings are still firmly fixed to which the bulls were tethered during the baiting process. Mr. W. Wilson, in his brochure on "Old Social Life in Cumberland," says: "In Keswick a large iron ring was formerly fixed in a stone block in the market-place; this was called the bull ring, and to this a bull, previous to being slaughtered, was fastened by the ring in its nose, and then baited and bitten by savage dogs amid dreadful bellowing till the poor beast was almost covered with foam, and quite exhausted. Great excitement prevailed when a bull was being baited, and large numbers assembled to witness the sport. On such occasions the market-place at Keswick

was crowded, and many in order to obtain a good view, might be seen sitting on the roofs of the adjoining houses. Beyond the excitement which the exhibition produced among the spectators, the system was thought to be of great value in improving the quality of the beef, an aged bull being especially tough unless well baited before slaughtering. When the flesh of a bull was exposed for sale, it was the rule in Keswick and probably elsewhere, to burn candles during the day on the stall on which the meat was exposed for sale, in order that customers might be aware of the quality of the meat sold there." In some other places in the two counties the penalty for killing and selling an unbaited bull was 6s. 8d.

For a very long period archery was practised in Cumberland and Westmorland not only as a means of defence and attack, but also as a recreation. The numerous places called "Butts," or bearing synonymous names, indicate that few towns neglected to set apart a shooting ground. In his "Survey of the Lakes" Clarke blamed the severity of the game laws for keeping up skill in archery amongst the poachers in the forests of the north-western counties. He added: "It was this that produced so many noted archers and outlaws

in the forest of Englewood as well as that of Sherwood. For not to mention Adam Bell and his partners, tradition still preserves the names of Watty of Croglin, Woodhead Andrew, Robin O'th'Moor's Gruff Elleck (Alexander), and of several others as of persons distinguished in that line even amongst the people who were almost to a man of the same stamp. Besides, as their squabbles and the subsequent maraudings made the skill thus acquired at times absolutely necessary to the inhabitants on each side of the boundary, we may easily conclude that a necessity of this kind, continually kept alive, must produce no small degree of dexterity.

“Whoever will consider the circumstances of the battles which were then fought, will find that wherever the ground or circumstances favoured the archer for a number of regular discharges, they generally produced such a confusion, particularly amongst the enemy's horse, as gave the men-at-arms of their own party an opportunity of easily completing it. I need cite no further particulars of this than the battle of Homildon, when the forces of the Northern Marches encountered the gallant Archibald, Earl of Douglas; the men-at-arms stood still that day, and the bowmen had the

whole business upon their hands. It is recorded that no armour could resist their arrows, though that of Earl Douglas and his associates had been three years in making. It would seem, indeed, that the Scots excelled in the use of the spear, and (excepting the Borderers) neglecting the bow; since one of their own kings is thought to have recommended its more general use by ridiculing their imperfect management of it."

The Kendal bowmen celebrated the prowess of their fore-elders of the same name by establishing a competition and festival for September 9th in each year. It was on that day in 1513 that the Kendal bowmen were particularly distinguished in the battle of Flodden Field. The prizes shot for every year were a silver arrow and a medal, the members appearing in a uniform of green, with arrow buttons; the cape green velvet with silver arrow; the waistcoat and breeches buff, and the shooting jacket was of green and white striped cotton.

Whitehaven also had its Society of Archers, and in 1790 had a medal designed by Smirke as a trophy for competition. On one side were the bugle-horn, quiver, and bow, above them being the words, "Per Has Victoriam," and underneath

the three place-names, "Poictiers," "Cressy," and "Agincourt." On the reverse was the name of the shooting ground, Parton Green, and the date, while round the edge were the words, "Captain's Medal, Cumberland Archers."

The Kendal "Boke of Recorde" contains several references to the pastimes of Westmerians from two to three centuries ago. On one occasion it was ordered by the Corporation "That whosoever do play at the football in the street and break any windows, shall forfeit upon view thereof by the Mayor or one of the Aldermen in the ward where the fault is committed the sum of 12d. for every time every party, and 3s. 4d. for every window by the same broken, and to be committed till it be paid, the constable looke to it to present it presently at every Court day." That knur and spell, the game so popular still in Yorkshire, was once a favourite pastime in Kendal is attested by the following entry, dated April, 1657: "It is ordered by the Court that all such persons, inhabitants within this borough, above the age of twelve years, that hereafter shall play in the streets at a game commonly called Kattstick and Bullvett shall forfeit and incur the penalty of 12d. for every offence, to be levied of

their goods, and where they have no goods to be imprisoned two hours."

The somewhat questionable glories of Workington Easter football play have passed away, partly in consequence of the occupation of a portion of the playing ground by railways and works, and not less because of a change of feeling. How long these Easter Tuesday matches between "Uppies" and "Downeys" have gone on no man can tell. Half a century ago it was reported in the *Pacquet* that the game in 1849 "was played with all the vigour of former days, from times beyond 'the memory of the oldest inhabitant.'" The goals are about a mile apart, one being a capstan at the harbour, and the other the park wall of Workingham Hall. There are no rules except those suggested by cunning and skill, while brute force is of the greatest importance. If the ball is "haled" over the park wall a sovereign is given by the owner of the estate to the winners, and of course it is spent in liquor. The players sometimes number hundreds, and thousands of people attend as spectators.

In several places in the two counties "mock mayors" were annually elected, and the occasion at Wreay was marked by somewhat uncommon

festivities. The Rev. A. R. Hall, Vicar of the parish, in a lecture delivered some time ago, gave an account of these Shrovetide observances, which made the village famous in its way. Up to 1790 the chief feature was a great cock-fight, managed by the boys at school. A hunt of harriers subsequently took the place of the cock-fight, this being followed by a public dinner, and the election of the mayor. Sometimes this functionary belonged to Wreay, and sometimes came from Carlisle; in the latter case, those who wished to keep up the due dignity of the office chartered a coach-and-four for the accommodation of their friends. Racing and jumping were features in the sports, the prizes for which were hats. The old silver bell used to ornament the mayor's wand of office. In 1872, unfortunately, the bell was stolen, and Wreay lost this relic, which had been connected for 217 years with its Shrovetide festivities. In 1880 the hunt and the election of mayor both came to an end.

Befitting its importance in the calendar, Christmas seems to have always held the first place in popularity among the holidays and festivals of the year. In the summer season Whitsuntide—which marks the end of one term of farm service—was

the most popular. At Christmas "the treat circulated from house to house, and every table was decorated in succession with a profusion of dishes, including all the pies and puddings then in use. Ale possets also constituted a favourite part of the festive suppers, and were given to strangers for breakfast before the introduction of tea. They were served in bowls, called doublers, into which the company dipped their spoons promiscuously; for the simplicity of the times had not yet seen the necessity of accommodating each guest with a basin or soup plate. The posset cup shone as an article of finery in the better sort of houses; it consisted of pewter, and was furnished with two, three, or more lateral pipes, through which the liquid part of the compound might be sucked by those who did not choose the bread. This plentiful repast was moistened with a copious supply of malt liquor, which the guests drank out of horns and the wooden cans already mentioned. The aged sat down to cards and conversation for the better part of the night, while the young men amused the company with exhibitions of maskers, amongst whom the clown was the conspicuous character; or parties of rapier-dancers displayed their dexterity in the sportive use of the small-

sword. In the meantime the youth of both sexes romped and gambolled promiscuously, or sat down not unfrequently to hunt the rolling-pin."

The Gowrie Plot is brought to mind by a record in the Greystoke books that is unusually quaint in its style: "1603, August, ffrydaye the vth day was comnded for to be kept holy daye yearely from cessation of laybour wth gyvinge of thanks for the kyngs most excelent matye for his ma^{tyes} p'servation and deliverance from the Crewell Conspiracie practized against his mat^{ies} pson in Scotland that vth daye of August, 1600." Three years sufficed for this celebration; then Gunpowder Plot came in for notice, as is seen from an item dated November 5th, 1606: "The sayde daye was Kenges holy day, and one sermon by Mr pson the xi Isaie 2 verse." The chronicler followed this registration of his text by a list of the names of the chief people in the parish who attended the service.

The shearing days used to be high festivals on the fells and in the dales of both counties. Now the gatherings have been deprived of some of their most characteristic features; and even the chairing is almost forgotten. Richardson's chapter on "Auld Fashint Clippins and Sec Like," in

“Stwories at Ganny uset to Tell,” relates how the chairing used to be done. The song, once an indispensable item in the programme, may now and again be heard, lustily shouted by the dalesmen. After declaring that “the shepherd’s health—it shall go round,” the chorus continues :

“Heigh O ! Heigh O ! Heigh O !
 And he that doth this health deny,
 Before his face I him defy.
 He’s fit for no good company,
 So let this health go round.”

The coronation of a monarch was invariably made the occasion for merry-making by the consumption of much ale by the common folk, especially by bell-ringers and others who could have the score discharged by the churchwardens. There is such an entry in the Crosthwaite books relating to the coronation of George the First. In 1821, November 5th, there was “spent in ale at Nicholas Graves 5s.” This worthy who was parish clerk at Crosthwaite for fifty-six years, was also the owner of a public-house in the town, and among his other qualifications was that of being will-maker for many of the inhabitants. At Penrith, Kendal, Carlisle, and many other places the church bells were set ringing, bonfires lighted,

and ale barrels tapped—usually at the expense of the churchwardens—on very small provocation.

Among other festivals now no longer observed, and probably forgotten, was that known as Brough Holly Night. In a little pamphlet published between thirty and forty years ago the following note on the subject was printed, but the writer has been unable to ascertain when the custom was last seen in the old Westmorland town: “On Twelfth Night, at Brough, the very ancient custom of carrying the holly-tree through the town is observed. There are two or three inns in the town which provide for the ceremony alternately, though the townspeople lend a hand to prepare the tree, to every branch of which a torch composed of greased rushes is affixed. About eight o'clock in the evening the tree is taken to a convenient part of the town, where the torches are lighted, the town band accompanying and playing till all is completed, when it is carried up and down the town, preceded by the band and the crowd who have now formed in procession. Many of the inhabitants carry lighted branches and flambeaus, and rockets, squibs, etc., are discharged on the occasion. After the tree has been thus paraded, and the torches are nearly burnt out, it is

taken to the middle of the town, where, amidst the cheers and shouts of the multitude, it is thrown among them. Then begins a scene of noise and confusion, for the crowd, watching the opportunity, rush in and cling to the branches, the contention being to bear it to the rival inns, 'sides' having been formed for that purpose ; the reward being an ample allowance of ale, etc., to the successful competitors. The landlord derives his benefit from the numbers the victory attracts, and a fiddler being all ready, a merry night, as it is called here, is got up, the lads and lasses dancing away till morning."

There were once many wells and springs in the two counties which were held in more than common regard by the inhabitants, and corresponded to the Holy Wells of other districts. Between sixty and seventy years ago this was written of a custom once common at Skirsgill, about a mile from Penrith : " Upon the sloping lawn is a remarkably fine spring ; its water is pure and sparkling, and was formerly held in such veneration that the peasantry resorted to it, and held an annual fair round its margin. In descending a flight of stone steps, you perceive inside a drinking cup, and over the door-top, neatly cut in stone, the

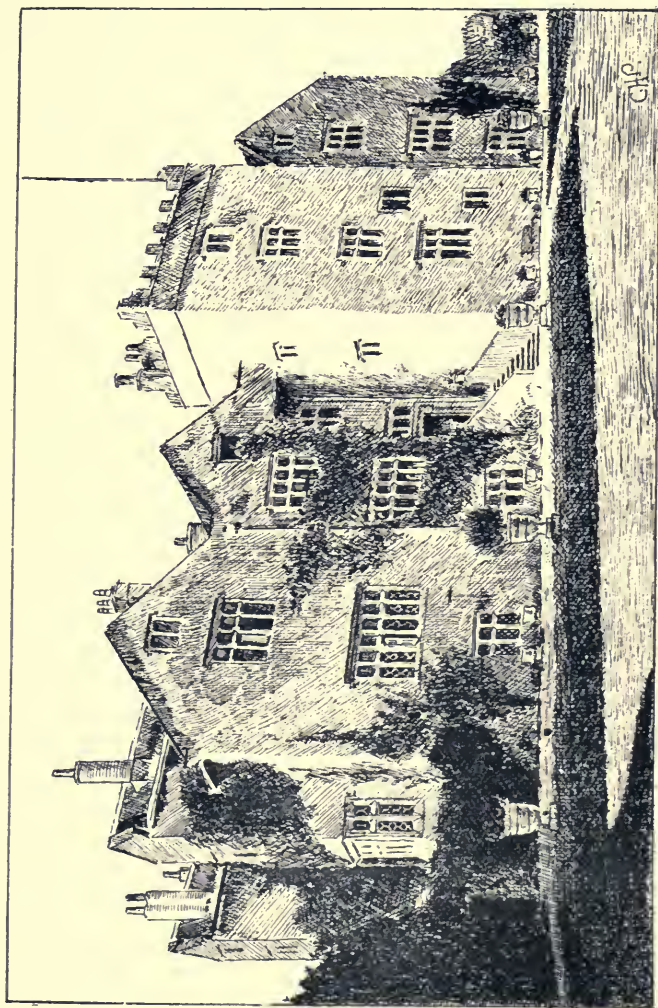
form of a water jug.” Cumberland is said to have had nearly thirty Holy Wells, and of one of these Mr. Hope tells us* that “The Holy Well near Dalston, Cumberland, was the scene of religious rites on stipulated occasions, usually Sundays. The villagers assembled and sought out the good spirit of the well, who was ‘supposed to teach its votaries the virtues of temperance, health, cleanliness, simplicity, and love.’”

The various well festivals in the Penrith district have all passed away, as has a once popular gathering of another kind, known as Giant’s Cave Sunday. The assemblies were at “the hoary caves of Eamont,” about three miles from Penrith, and the late Rev. B. Porteus, then Vicar of Edenhall, wrote of them nearly forty years ago : “The picnics are of frequent occurrence at this picturesque and romantic spot ; and have been occasionally patronised by special culinary demonstrations by the hospitable proprietor of the estate. Giant’s Cave Sunday is still observed, but the custom has dwindled into insignificance, the ‘shaking bottles’ carried by the children at that season being the only remains of what it has been. But it affords a pleasant walk to the

* “Church Treasury of History, Custom, and Folk Lore,” 1897.

people of Penrith, as it has probably done since the time when the caves were the residence of a holy man."

Among the festivities now to be numbered among bygone things must be mentioned the Levens Radish Feast, which had much more than a local fame. In the time of Colonel Grahme there was great rivalry between the houses of Dallam Tower and Levens. The former once invited every person who attended Milnthorpe Fair to partake of the good cheer provided in the park, a piece of hospitality which irritated the Colonel very much. As a consequence, the following year when the Mayor and Corporation of Kendal went to proclaim the fair, he took them to Levens, and provided such a royal entertainment that the civic fathers gladly accepted the invitation for succeeding years. The fair sex were rigidly excluded. Long tables were placed on the bowling green, and spread with oat bread, butter, radishes, and "morocco," a kind of strong beer, for which the Hall was famed. After the feast came the "colting" of new visitors, and various amusements that are better to read about than witness.



LEVENS HALL. — *Front View.*

On the Road.

FEW parts of England could have been so inaccessible as were Cumberland and Westmorland prior to the middle of the last century. Roads were scarce, unless the dignity of the name be given to the rough tracks which served for the passage of pack-horses, and even these did not reach a great number, having regard to the area which they served. There was little to call the people away from home, to London and other great centres of industry. The journey from the north to the Metropolis was such a great undertaking that men who had any possessions to leave behind them almost invariably made their wills before starting out. The richer sort, of course, rode their horses, and an interesting account of the journey was left by Henry Curwen, of Workington Hall, as to his trip to London in 1726. The most accessible route was very roundabout—by Penrith, Stainmore, Barnard Castle, York, and so through the eastern counties. This journey on horseback occupied thirteen days, including four which were utilised for visiting friends on the

way. The roads he described as being very bad, and a ride of thirty-two miles he declared to be equal to fifty measured miles.

People with fewer guineas to spare had of necessity to walk. "Manufacturers made their wills, and settled their worldly affairs, before taking a long journey, and many of them travelled on foot to London and other places, to sell their goods, which were conveyed on the backs of pack-horses."* Even more recently pedestrian excursions from Mid Cumberland to London have been undertaken ; there was the well-known case of Mally Messenger, who died in August, 1856, at the age of ninety-three years. Several times before she attained middle age Mally walked to London and back to Keswick, a distance of 286 miles in each direction. On one occasion she was passed by a Keswick man on horseback, who by way of a parting message remarked, "Good-day, Mally ; I'll tell them in Keswick you're coming." The pedestrian, however, was the better traveller, for she often used to boast afterwards that she reached Keswick first.

When old-time Bamptonians wanted to see the

* "The Manners and Customs of Westmorland, etc., in the Former Part of the Eighteenth Century."

Metropolis they could not go to Shap or Penrith and thence be carried by excursions for considerably under a sovereign. This is how the vicar went on foot in 1697, as recorded in the parish registers : "Feb. the 7 did Mr. Knott set forward for London, got to Barking to Mr. Blamyres, Friday, March the fourth, to London March the seaventh, remained there 8 weekes and 2 dayes, came out May the 5, 1698, gott to Bampton Grainge, May the 20, at night."

Even apart from the perils which beset travellers during the times of the Border forays, there were many things which must have restrained the average Cumbrian and Westmerian from wandering far abroad. To those who were obliged to walk or ride far, the old hospitals must have been very welcome institutions. One of these, of which all traces have long been lost, was the hospital on the desolate and remote fells of Caldbeck. "Out of Westmorland and the east parts of Cumberland there lying an highway through Caldbeck into the west of Cumberland, it was anciently very dangerous for passengers to travel through it, who were often robbed by thieves that haunted those woody parts and mountains. Thereupon Ranulph Engain, the

chief forester of Englewood, granted licence to the Prior of Carlisle to build an hospital for the relief of distressed travellers who might happen to be troubled by those thieves, or prejudiced by the snows or storms in winter." The Prior made the enclosure, and doubtless the hospice was a boon to many a wayfarer ; the population increased, a church was established, and in the time of King John, the hospital being dissolved, the property of the secular institution was handed over to the Church, and to this day the manor is known as Kirkland. The need for former protection of the kind is still preserved in a landmark in the parish, " the Hawk," or as the local pronounciation has it, " Howk." This grotto was a noted meeting-place for thieves.

Even the King's Judges were not exempted from the perils of the road. Hutchinson's description of Brampton says that " The judges, with the whole body of barristers, attorneys, clerks, and serving men, rode on horseback from Newcastle to Carlisle, armed and escorted by a strong guard under the command of the sheriffs. It was necessary to carry provisions, for the country was a wilderness which afforded no supplies. The spot where the cavalcade halted to dine, under an

immense oak, is not yet forgotten. The irregular vigour with which criminal justice was administered shocked observers whose lives had been passed in more tranquil districts. Juries, animated by hatred, and by a sense of common danger, convicted house-breakers and cattle-stealers with the promptitude of a court-martial in a mutiny ; and convicts were hurried by scores to the gallows."

Even taxes did not, it is to be feared, prevent some of the Cumbrians occasionally throwing in their lot with, or assisting, the vagabonds who were the cause of all the trouble. "It was often found impossible to track the robbers to their retreats among the hills and morasses, for the geography of that wild country was very imperfectly known. Even after the accession of George the Third, the path over the fells from Borrowdale to Ravenglass was still a secret carefully kept by the dalesman, some of whom had probably in their youth escaped from justice by the road." Such is the record which may be gathered from Gray's "Journal of a Tour in the Lakes" in 1769.

Coach travelling was an expensive luxury, and those who undertook the journeys between London and the north did not do so solely for pleasure. From an advertisement, nearly a column in length,

which appeared in the London *Star* at the end of 1795 the following is taken :—

SARACEN'S HEAD INN.

SNOW-HILL, LONDON.

SAFE, EASY, AND EXPEDITIOUS TRAVELLING.

With every accommodation that can lessen the fatigue,
or add to the pleasure of the Journey, to
most parts of England and the
Principal Towns in Scotland,
by the following

NEW AND ELEGANT COACHES :

Carlisle and Penrith rapid Post Coach, goes with four horses, and a guard all the way, passes through Brough, Appleby, Gretnabridge, Richmond, Catterick, Boroughbridge, Wetherby, Alberford, Doncaster, and Grantham (the nearest way by 18 miles) sets out every morning, and performs the journey with the greatest ease and convenience. Passengers desirous to stop on the road, have the advantage of their seats being secured in the next Coach (with only six Coachmen).

WILLIAM MOUNTAIN and CO. respectfully acquaint their Friends and the Public that, still emulous to deserve as well as preserve their invaluable esteem, they have provided Lamps and Guards, that travel throughout with all the above Coaches.

N.B. The Proprietors of the above Coaches from the above inn, will not be accountable for any Parcel, Luggage, Goods, &c., of more value than Five Pounds (if lost) unless entered as such and paid for accordingly.

An earlier advertisement which appeared in the Cumberland newspapers of 1775 shows

that the journey to London was done in three days, at a cost of £3 10s. per passenger. The notice ran :—

“Carlisle Post Coach.—In Three Days for London.—Sets out from the Bush Inn, Carlisle, every Sunday evening, at seven o'clock precisely, by way of Burrow-bridge, being well known to the public to be the nearest and best road to London (and is also calculated for more ease and satisfaction to the passengers than any other coach). It also sets out from the Bell and Crown, Holborn, every Wednesday evening, at eight o'clock. Each inside passenger from Carlisle to London to pay £3 10s. From the George Inn, Penrith, £3 7s. 6d., and threepence per mile for all passengers taken up on the road. Each passenger to be allowed 14lb. luggage; all above to pay 4d. per pound; small parcels at 3s. each. . . Performed by J. Garthwaite and Co.”

Locomotion was still more difficult and costly in the early part of the seventeenth century. In the Household Books of Naworth, extending from 1612 to 1640, are found such significant entries as the following :—“March 22, 1626. Hewing a way for the coach beyond Gelt Bridge, 2s. 3d.” On one occasion, Sir Francis Howard, being sick, hired a coach for his journey from London to Bowes, which cost £18. Lord William Howard's journeys to London were always taken on horseback, and he was generally ten or twelve

days on the road, the travelling expenses varying, according to the number of his retinue and the direction of the route taken. A journey by way of Shiffnal and Lydney occupied eleven days, and cost £30 7s. 1d. ; whilst the expenses of another, from Thornthwaite to London with twenty-four men and twelve horses in his train, came to £20 15s. 4d.

In addition to the coaches, people often travelled by what were termed “expeditious wagons,” which carried goods. One notice dated November 24th, 1790, concerning these vehicles may be quoted :—

“In ten days from Carlisle to London, and the same in return by way of York every week. Messrs. Handleys respectfully inform their friends and the public in general that they have erected stage waggons which leave Carlisle early on Tuesday morning and arrive at York on Thursday night, and Leeds on Saturday morning (where goods for all parts in the south are regularly forwarded by the respective carriers), arrive at the White Bear, Bassinghall Street, on Friday night, and set out every Monday morning, and arrive at and leave York on Tuesday morning, Bedal, Richmond, Barnard Castle, Burgh, Appleby, Penrith, and arrive at Carlisle on Friday evening, where goods are immediately forwarded to Wigton, Cockermouth, Workington, Whitehaven, and any other place in Cumberland ; also to Annan, Dumfries, Glasgow, Edinburgh, Aberdeen, and all other principal towns in Scotland. They hope by their

attention to business to merit the favours of all those who please to employ them. N.B.—Their waggon leaves Sheffield on Saturday, and Leeds on Monday. For further particulars apply to Robert Wilson, book-keeper, or J. Birkett, innkeeper, Carlisle."

A writer in 1812, on the manners and customs of the people of Westmorland during the preceding century, stated that wheel carriages were very little used for private intercourse or trade; for persons of both sexes made short journeys on horseback, the women being commonly seated on pillions behind the men. Very few made long excursions from home, except the manufacturers of Kendal, many of whom travelled on foot in quest of orders for their worsted stockings and linsey-woolsey. Carriers did not employ wagons, but drove gangs of pack-horses, each gang being preceded by a bell-horse, and the owners reckoned a young woman equivalent to half a pack in loading their beasts of burden. The predilection for transporting all kinds of commodities on horseback was so general, that the fuel consumed in Kendal came to the town in this manner. Coals were brought in sacks upon gallows from Ingleton, and the turf or peat was conveyed from the mosses in halts. These were a pair of strong wicker hampers, which were

joined by a pack-saddle, and hung across a horse's back. They were put to various uses in husbandry, which offices are now performed by carts. Halts gave way to carts in the progress of general improvement. These vehicles were ill-contrived, particularly the wheels, which consisted of two circular boards fixed without spokes immovably to the ends of a cylindrical axle. The injudicious nature of the construction required the axle itself to revolve beneath the cart, where it was kept in its place by two pairs of parallel wooden pins, that projected downward from the frame of the bottom.

A question concerning these old "tummel wheel'd cars" was asked in the *Carlisle Journal* a few months ago, and a correspondent supplied this answer :—" I have seen at least two of these old-time machines of locomotion. They had then been many years out of use. I speak now of a date say 58 years gone past. One of them was stored in an open shed in the farmyard of its venerable owner—the other had less respect shown to its remains, for it stood in a neglected and unsheltered corner. Of course, I never saw either of them in use. The wheels were funny, not to say clumsy, looking affairs. Without

spokes or felloes, they consisted of three segment-shaped blocks of wood, fastened together rudely but strongly with 'dowels' of the same material, so as to form a circle. The wheels again were similarly fastened to the axle, and the whole revolved in one solid mass. The harness consisted mostly of ropes or girthing with loops at the ends, and having cleets like the modern 'coo-tee' to hold them in position. Very little leather was used, and but few buckles. Here is Mr. Dickinson's description, 'In old times the horse was yoked to the cart by a rope from the shoulders, and an iron ring sliding on the shaft held by a pin. This was hammerband yoking. The tummel wheelers referred to were seen by me in the Lake District (Ullswater) in the early forties.'"

Before turnpike roads were made, or wagons came into use, the merchandise of Kendal was transported by the following pack-horses :—

One gang of pack-horses to and from London						
every week, of about	-	-	-	-	-	20
One gang from Wigan weekly, about	-	-				18
One gang from Whitehaven, about	-	-	-			20
From Cockermouth	-	-	-	-	-	15
Two gangs from Barnard Castle	-	-	-			26
Two gangs from Penrith twice a week, about						
15 each	-	-	-	-	-	60

One gang from Settle twice a week, about 15	
each - - - - -	30
From York weekly, about - - - - -	10
From Ulverston - - - - -	5
From Hawkeshead twice a week, about 6 - -	12
From Appleby twice a week, about 6 - -	12
From Cartmel - - - - -	6
Carriages three or four times a week to and	
from Milnthorpe, computed at 40 horse load -	40
From Sedbergh, Kirkby Lonsdale, Orton, Dent,	
and other neighbouring villages, about - -	20
Total - - -	294

Besides 24 every six weeks for Glasgow.

Less than sixty years ago the pillion was in constant use in the two counties, and only the well-to-do yeomen thought of taking their wives and daughters frequently to market in the "shandry cart." It is only a quarter of a century since the old pack-horses ceased to traverse some parts of Westmorland and its borders. Mr. H. Speight, in one of his books,* deals with a state of things which existed, not only in the Hawes district, but considerably northward of that place. Handloom weaving was an old local industry, and when a sufficient number of pieces were ready, they were gathered up and conveyed by teams of pack-horses over the mountains to the various

* "Romantic Richmondshire," 1897.

West Riding towns. Discharging their loads they would return laden with warp, weft, size, and other articles. When the traffic ceased, hundreds of these sonorous pack-horse bells were sold for old metal, and the brokers' shops for a time were full of them. Each bell weighed from 1lb. to 2lbs. An old resident in North Westmorland not long ago recalled very vividly the scenes to be witnessed, and confirmed the accuracy of the following description from Mr. Speight's volume : "In the old pack-horse days it was a sight worth remembering to witness the procession of men and horses with miscellaneous goods, making their way out of the Yorkshire dales, to Kirkby Stephen and the north. The drivers from Garsdale and Grisedale came over the moor to Shaw Paddock, and thence on to Aisgill, and to the old Thrang Bridge in Mallerstang, where they were met by strings of pack-horses and men coming from the east country by Hell Gill. It was a busy and picturesque scene, and the Thrang Bridge was well named. Sometimes on special occasions, as during Brough Hill Fair, the thrifty wives and daughters of the dales used to go up to Hell Gill Bridge, and spread out stalls and baskets, stored with cakes, nuts, apples, and bottles of home-made

herb beer, and other non-intoxicants, to sell to passing travellers. And a good business they did too, for there was a continuous stream of wayfarers, who were glad, particularly if the day were hot, to linger awhile and hear the gossip of the country-side, cracking many a joke along with many a nut bought from the buxom stall women. Occasionally herds of Highland cattle passed this way, and when the far-travelled animals showed signs of fatigue, it was no uncommon thing to see one of the men who carried a bagpipe play some lively air as he marched in front of the drove. The animals seemed to enjoy the music, and evidently appreciated this relief to the tediousness of the journey, by walking, as they often would, with a brisker step, while some of them that had lain down in the road would quickly rise at the novel far-sounding strains, which brought many a cottager also to his feet from his home in the echoing glen."

Old Customs.

POSSIBLY the custom associated with Westmorland which can claim to be at once among the oldest, as well as having been the most carefully followed, is that connected with the familiar Countess's Pillar in the parish of Brougham. The famous Countess Anne of Pembroke erected this structure in 1656, as the still perfect legible inscription on the southern side tells us, for a laudable purpose: "This pillar was erected in 1656 by Anne, Countess Dowager of Pembroke, etc., for a memorial of her last parting in this place with her good and pious mother, Margaret, Countess Dowager of Cumberland, the 2nd day of April, 1616, in memory whereof she has left an annuity of £4. to be distributed to the poor of the parish of Brougham every second day of April for ever, upon the stone placed hard by. *Laus Deo.*" The custom is scrupulously observed, the money being distributed on April 2nd as directed, except when that day falls, as this year, on a Sunday, and then the little ceremony is conducted on the

following day. When asked as to the regularity of the observance shortly before this year's distribution, the Rev. W. S. Salman, the venerable Rector of Brougham, said the details were carefully attended to ; and, he added, "we should soon hear about it if they were not."

How far the custom of rush-bearing goes back there is nothing in local records to show, but there are some very old entries in the registers concerning the practice. In spite of the Puritans the villagers were keeping up the festival at Kirkby Lonsdale ; there is this item among the churchwardens' accounts for 1680 : "Paid at the rush-bearing in drink, 3s." Although the ceremony had in each place the same general features, different parishes varied the proceedings. Flowers as well as rushes were carried by the children, many of the blooms being made into garlands. After the sermon, the roses and rushes brought the preceding year were taken out, and the fresh ones put in their places. An old writer made the following suggestion as to the origin of the custom : "That our forefathers appointed a day on which they rendered public thanks to the Almighty for His kindness in causing the earth to bring forth fruit for the sustenance of man and



From a Photo by

COUNTESS'S PILLAR, BROUGHAM. [Mr. John Bolton, Penrith.

beast, and that on these occasions they brought rushes, or other productions of the soil, to the sanctuary, which they spread out as a memorial before the lord." The theory is doubtless correct, as is proved by the fact that at Warcop and other places where "rush-bearings"—minus the rushes—are still kept up every summer, the service and other proceedings are in the nature of a public thanksgiving.

Nut Monday has passed into the region of forgotten things, even at such places as the schools, where it was once a popular observance. It was, however, kept so recently as 1861, when September 12th was held in Kendal as a general holiday, almost every shop being closed. Possibly the failure of the nut crop in several successive years was a factor in changing the holiday to another time, and thus the day losing its distinctive character. This, it will be noted, had nothing in common with another custom observed in some other parts of the country—Crack Nut Sunday. The latter was simply a desecrating practice, without a single good feature.

"Sunday observance" had more than a nominal meaning in bygone days, though there is nothing to indicate that the people of the two counties had

any particular liking for the restrictions imposed. It was the practice in nearly every town and village for the churchwardens to leave the church during service time and walk through the town in search of people who ought to have been at church, and special attention was paid to licensed premises. Possibly, by the time the hostelries were reached, the churchwardens felt the need of liquid refreshment; at any rate, they frequently obtained it. Carlisle, in 1788, was divided into districts, through each of which two constables and two of the principal inhabitants, who took it in rotation, patrolled the streets from ten in the morning till one, and from three to five in the afternoon, during which hours the doors of all the public-houses were kept shut, the patrol having first visited them to see that no person was tippling in them. "So much respect is paid to this regulation," wrote a chronicler of the period, "that during these hours no person is seen in the streets but those who are going to or returning from some place of worship." Fines were occasionally imposed for non-attendance at church; that does not seem to have been the rule, moral suasion apparently sufficing to meet most requirements. The Corporation of Kendal took powers to inflict

what were then—three hundred years ago—heavy fines for selling ale during service hours.

Among the customs and beliefs noted as prevalent at Whitbeck, in West Cumberland, in 1794, were these: “Newly-married persons beg corn to sow their first crop with, and are called corn-laiters. People always keep wake with the dead. The labouring ox is said to kneel at twelve o’clock at night, preceding the day of the Nativity; the bees are heard to sing at the same hour. On the morn of Christmas Day breakfast early on hack-pudding, a mess made of sheep’s heart mixed with suet and sweet fruits. To whichever quarter a bull faces in lying on All Hallows’ Eve, from thence the wind will blow the greater part of the winter.” It has been surmised that the hack-pudding resembles sweet-pie, which is not unlike a mince-pie on a large scale, mutton being used instead of beef, and the ingredients not finely chopped.

Here, as in other parts of the country, beating the bounds, both of parishes and manors, was a popular, though oft-times toilsome, observance. In a few registers, records have been preserved of the old-time landmarks, a precaution of special value in days before the Ordnance Survey was

thought of. Dalston registers not only supply this information, but a description of the ceremony of perambulation. Curiosities of divisions are not lacking. An old man, once a parishioner of Dalston, told the Rev. J. Wilson* that he had a vivid recollection of taking part in the ritual of beating the bounds many years ago, and throwing a rope over a house, part of which stands in Castle Sowerby, in order to mark the division of the contiguous parishes. The walls of the house exist still, though unroofed, where the inhabitants were wont to say, half a century ago, that they always slept in Dalston and breakfasted in Castle Sowerby.

“Furth” was a word used by the inhabitants of Orton long ago. In those days, before the era of coal burning, most of the houses had what were called hearth fire-places, with big open chimneys but no fire-grates. Householders had the privilege of getting turf on the moors, and during the winter nights neighbours used to assemble in one another’s houses in succession. Orton and Ravenstonedale were famous places for knitting, and the folks all sat round the blazing turf fire knitting away at top speed. Both men and women were

* “The Parish Registers of Dalston,” 1893.

thus occupied, and made a peculiar rattling noise with so many needles working at once. The conversations at these Furth Neets were very amusing, the talk ranging from the state of the crops, such as they were in those days of what would be called low farming, to the prices of produce and the latest doings of Mary Baynes, the local witch.

Formerly some of the inhabitants of Orton had what were called penthouses in front of their dwellings. It was a custom on Candlemas Day for those who had money to lend to appear under the sheds or penthouses, with neckcloths tied round their heads, and if the weather was cold, while the money-lenders were shivering beneath the scanty shelter, the borrowers frequented the public-houses, where there was much carousing. This curious custom has long been discouraged, and only one penthouse is now standing.

Reminders of Border service remained in the two counties long after the Act of Union had been passed. Thus the secluded hamlet of Kentmere was divided into sixty tenements for the maintenance of as many soldiers, and so recently as the middle of this century it was written: "The vestiges of this ancient regulation still remain, for

the township is divided into four parts, and each of these parts into fifteen tenements. For each tenement a man serves the office of constable, and pays 2s. per annum to the curate."

Public affairs in the village of Torpenhow used to be managed by "the sixteen men," elected by the householders in the four quarters into which the parish was divided, the vicar and churchwardens being apparently *ex officio* members of this early Parish Council. The last nomination of the sixteen took place about 1807 ; they had a great variety of duties, carrying out functions that are now discharged by School Boards, Parish, District, and County Councils. So far as is known, the most detailed information concerning the duties of the "sworn men" is given in the Orton (Westmorland) registers, where, following the fourteen names of "the sworne men of Orto' anno d'ni 1596," is this statement, so far as it can be deciphered :—

"*Imprimis* that thes be diligent and careful to see and provide that the people be . . . and behave the'selves honestlie . . . feare of God according to the Holie word of God and the Good and wholesome laws of this land. *Secondlie* to see that the Churchwardens be careful and diligent in executinge their office, ioyne with thes in suppressing of sinne and such as behave the'selves inordinatlie to

reprove and rebuke those who be found offenders, and if they will not amend to p^esent the' to be punished. *Thirddie* to se that the Church and Churchy^d be decentlie repaired and mainteyned. Also we as agreed y^t everie p^rsonnis beinge found faultie by the Churchwardens and p^rsented to the sworn me' shall paie xij^d. to the poor ma's box. And that whosoever doth not come p^rsent the'selves lawfull warning being given either of the xij or Churchwardens to the place appointed shall lose xij to the poore ma's box without a sufficient cause to the contrarie whereof thes are to certifie the rest assembled at . . . appointed to their meetinge. Lastly that the Churchwardes . . . and take the sam forfat . . . p^rsent the offenders."

Another kind of Parish Council existed at Helton, near Lowther, about a century ago. A chronicler of seventy years since gives this account of it :—"At Helton, at the end of the Tythe Barn, was formerly a stone seat, where the inhabitants met for the purpose of transacting their parochial affairs. He who came first waited till he was joined by the rest; and it was considered a mark of great rudeness for anyone to absent himself from the meeting. After conferring on such matters as related to the parish they separated, and each returned home."

There was a very noteworthy Council at Watermillock, called the Head Jurie, and Mr. W. Hodgson, a former schoolmaster in the parish,

did good service some years ago by transcribing the records of that body, from 1610 to more than a century later. They performed all the duties—and more—now delegated to Parish Councils; indeed they seem to have had control of everything pertaining to the government of the parish. Among the contents of the book on “Paines and Penalties laid by the Head Jurie” is this entry concerning a Court held in 1629:—

“We find for a good amongst ourselves that all the inhabitants within the hamlet of Weathermelock shall amend all the church ways and all other ways yearly, and every year, upon the first work day in Christmas, if the day be seasonable, at ye sight of ye Constables and Churchwardens for the time being upon paine of sixpence of everyone that maketh default. And alsoe all as aforesaid shall meet and mend the peat way always upon Whitsun Wednesday, and everyone to meet where his way lyeth, and everyone to send a sufficient man to the sight of the Constable for the time being upon paine of sixpence of everyone that maketh default. And that the Constable be there upon paine of sixpence to see who make default.”

In the old manorial halls fools or jesters were frequently to be found among the members of the households. The late Dr. Taylor suggested that when Yanwath Hall was a very important link in the chain of Border defences, such a servant was kept; and Mr. R. S. Ferguson once reminded

the members of the Archæological Society that, in 1601, both the Mayor of Carlisle and Sir Wilfred Lawson kept fools, as probably did also the Bishop of Carlisle. The Mayor's fool got a coat for Christmas, while Sir Wilfred's appears in the accounts of the Corporation as being "tipped" for bringing messages to Carlisle. A fool was also kept at Muncaster Castle.

There was a custom very common in connection with the apprenticeship system at the beginning of the century. In a pamphlet written by John S. Lough, a former Penrith printer, appeared this paragraph :—"Burying the Old Wife is a custom still prevalent among the operatives in the north at the expiration of the term of apprenticeship. The late apprentice is taken into a room adjoining that where the party is met to celebrate the loosening, and after an old woman's cap is put on his head, the body is enveloped in a white sheet. He is then taken upon the shoulders of his comrades into the banqueting room, round which he is carried a few times, in not very solemn procession, and finally placed upon the boards whereon the figure of a grave is chalked. A kind of funeral service is gone through, and the old wife is buried."

“The simple annals of the poor” in the two counties contain many pathetic accounts of their condition and treatment ere the public conscience was awakened to the necessity of a more humane method. Here, as in many other parts of the country, the poor were often let out to contractors. Among the churchwardens’ accounts at Hayton for 1773 there is a copy of a contract between the churchwardens and Thomas Wharton, of The Faugh, “for letting the poor for a year” to the latter. The Rev. R. W. Dixon, vicar of the parish, about twenty years ago went into the history of this transaction. A vestry meeting was called for the purpose, and conditions were entered into between the churchwardens and the overseers on the one part, and Thomas Wharton on the other. The parish overseers were to find bedding and apparel for the paupers, but Wharton was to mend their clothes and stockings, and be allowed 5s. for the purpose. A child not a year old was to be counted as one person with the mother, and be fed and clothed by the parish; and if a pauper died in the house he was to be buried at the expense of the parish. Wharton was to find sufficient meat, drink, washing, lodging, and firing for the paupers, to the satisfaction of

the parish officers, who had authority to visit the house as often as they pleased. He was to receive a yearly salary of £12 10s., and a weekly allowance of 1s. 2d. for each pauper, but if a pauper stayed under a week a deduction was to be made accordingly. On these terms Wharton was declared master of the workhouse.

The children who used to attend the ancient Robinson's School at Penrith were sent out each day to beg, and that there might be no mistake as to their identity, each was obliged to wear what was locally called "the badge of poverty."

✕ It is decidedly an unfortunate thing, from the point of view of the antiquary, that so many of the old plague stones which used to be found in different places should have disappeared. Penrith had two; and one of them remains, but from observations occasionally heard it is to be feared that only a small proportion of the townspeople have an idea of the use of the old font-like erection. It is interesting to quote the account given by a Penrith land surveyor and innkeeper, who wrote more than a century ago* on this subject:—
"Nearly half-way between Eamont Bridge and Penrith stands an house, called from its situation

* "Survey of the Lakes," by James Clarke, Penrith, 1789.

Half-way House, but formerly *Mill* or *Meal Cross*, from the following circumstance. During the dreadful plague which visited this country in the year 1598, and almost depopulated Penrith (no less than 2,260 in the town falling victims to this merciless disease), the Millers and Villagers refused to bring their commodities into the town to market for fear of infection. The inhabitants, therefore, were under the necessity of meeting them here, and performing a kind of quarantine before they were allowed to buy anything. This was said to be almost at the option of the country people. This much is certain: No man was allowed to touch the money made use of on these occasions, it being put into a vessel of water, whence they had a method of taking it without touching it with their fingers. For this purpose they erected a cross which remains to this day. For greater conveniences they erected a cross at the town's-head, and erected shambles, etc.; the place still retains the name of the Cross-green: they built a third cross near the Carlisle road a little above the second, where black cattle, sheep, hogs, and goats were sold; and it retains yet the name of the Nolt-Fair [Nolt: Oxen, cows, etc.], and continues to be the market for cattle."



PLAGUE STONE, PENRITH.

The road was widened and improved in 1834, when the water trough was found, and afterwards placed where it now stands. There was a somewhat similar structure in the park at Eden Hall, and is said to mark the site of the former village. The base is still retained, but some decades ago there was put a memorial cross upon it. Going over the border of Westmorland a short distance are other reminders of these old-time epidemics. In the parish registers of Hawkshead it is stated that in 1721 the sum of 1s. 6d. was paid to the apparitor for a book concerning the plague. Here is material for several queries. Was there an outbreak of some disease which obtained that name so late as 1720, or was the volume meant for a record of what had gone before? Again, if the book was ever written, what became of it? The records of the le Flemings, the Earls of Lonsdale, the Earls of Westmorland, and others published by the Historical Manuscripts Commission abound in references to the plague.

A stone in the remote hamlet of Armboth, above what is now the great reservoir of the Manchester Corporation, marks the place where the local commerce was carried on when personal intercourse was dangerous on account of the

plague. The custom existed after the epidemic had passed away, the people from the fells and dales continuing to take their webs and yarn to what is still known as "the Webstone." ✕

The registers of Dalston are particularly valuable for purposes of local history, partly owing to the fact that Rose Castle, the residence of the Bishops of Carlisle, is in that parish. There are also many other ways in which they are interesting. One of the earliest houses mentioned in the books is Bell Gate or Bellyeat. Miss Kubar, who closely studied the records of this and some other parishes, wrote a few years ago with regard to this house: "The people will have it that a bell hung here to announce the arrival of the pack-horses *en route* for Keswick, and some maintain that it served to warn the neighbourhood of the approach of the moss-troopers."

Although the old custom of ringing the curfew is gradually dying out, in several places in Cumberland and Westmorland the practice is kept up still. In the hall at Appleby Castle there is an interesting reminder of the custom. This is the curfew-bell which was found in the tower at the Castle, and it finds an honoured place now among the family possessions. When swung to and fro

the bell is found to have a very sweet tone, but while it was vigorously rung in the evenings long ago the burgesses would not have any difficulty in hearing its loud and peculiar warning note. The inscription is not very easy to decipher, but it appears to run thus :—

“Soli Deo Gloria. Pax Homibus, S.S. Fecit, 1661. W.S.”

Nothing is known at the Castle as to the maker, though it is possible that experts in bell-lore might be able to trace its record from the inscription.

Old School Customs.

THE chequered histories of the old schools at Appleby, Kirkby Stephen, Kendal, Crosthwaite, Carlisle, Penrith, and several other towns in the two counties, would suffice to make a large book of an interesting character. Some of the rules which governed the institutions in bygone days were decidedly quaint. The nineteen long paragraphs which make up the "Constitutions, Ordinances, and Statutes for the Free Grammar School at Kirkby Stephen," as drawn up in 1568 by Lord Wharton, included this curious stipulation :—

"I will that the said Schoolmaster shall have and receive yearly £12 as his Hire and Wages, at two Terms of the year, if he teach in manner and form following, viz., At the Feast of Pentecost and St. Martin, by equal portions, by the hands of my Son, Heir, and Heirs, and the Governours. And the said Schoolmaster shall, within ten dayes after he hath taken upon him and be installed in the said Office, before the said Governours, or two of them, and before my Son and Heir, or Heirs of my House of Wharton, for the time being, and in presence of the Churchwardens and Twelve men of Kirkby-Stephen Parish, or six of them, in the Parish Church there, make this Oath following: 'I do swear by the holy Contents of

this Book that I will freely, without exacting any money, diligently teach and instruct the Children of this parish, and all others that resort to me, in Grammar and other Humane Doctrine, according to the Statutes thereof made ; And shall read to them no corrupt or reprobate Book, or Works set forth at any time contrary to the Determination of the Universal Catholic Church, whereby they might be infected in their youth with any kind of Heresy or corrupt Doctrine, or else be induced to an insolent manner of Liveing ; And further shall observe all the Statutes and Ordinances of this School, now made or that hereafter shall be made, which concern me ; and shall do nothing in prejudice thereof, but help to maintain the same, from time to time, dureing my abode herein, to the best of my power. So Help me God, and the Contents of this book.’”

At six o'clock in the morning, and at the same hour in the evening, master and scholars had to march from school to church, for prayers, afterwards going to the tomb which Lord Wharton had erected in the quire and sing one of fifteen psalms. This was the order for working hours :—
 “ And the same Scholemr., every Work-day at the least, shall begin to teach from Six a Clock in ye morning in Summer, and from Seven a Clock in Winter ; and so shall continue in teaching until Eleven a Clock. The self same thing shall he diligently do after Dinner, from One of the Clock till Six in Summer and five in Winter.”

The history of Appleby School extends over nearly four and a quarter centuries. In 1478 Thomas Whinfell, one of the chantry priests, was bound "to keep yearly a sufficient Grammar School, taking of the scholars of the said school *scolagia et custumaria secundum antiquam consuetudinem scoloe prædictæ*." Old school-boys living within the present decade remember that the *scolagia et custumaria* included a cockpenny, which had to be paid by each boy on Easter Tuesday, for the purpose of enabling the master to provide the pupils with a cock-fight. One of the regulations for Kendal School was that it should be "free to all boys resident in the parish of Kendal, for classics alone, excepting a voluntary payment of a cockpenny as aforetime at Shrovetide." The "Literary Rambler," who contributed a series of papers to the *Kendal Chronicle* in 1812 (when the custom was commonly observed), remarked :—"A stranger to the customs of the country will suspect something whimsical in this name, but it has its foundation in reason; for the boys of every school were divided into parties every Shrovetide, headed by their respective captains, whom the master chose from amongst his pupils. This was

probably done in imitation of the Romans, who appointed the *principes pivenum* on certain occasions. These juvenile competitors contended in a match at football, and fought a cock-battle, called the captains' battle, in both which contests the youthful rivals were not more interested than their parents." Though the barbarous sport had disappeared, the payment of a cockpenny survived certainly until the middle of this century. This is shown by Mr. W. Sayer, who, in his History (1847), says that the endowments of Bowness (Westmorland) School, "together with a cockpenny given by each scholar on Shrove Tuesday," amounted to about £60 per annum.

George Smith, a relative of Dr. Smith who became Bishop of London, built and endowed the school at Asby, and left £10, the interest of which (about 12s.) was to be disposed of on St. George's Day yearly for ever in the following manner: 6s. to the poor of the parish; 5s. to be spent in ale by the feofees of the school; and the remaining shilling to purchase a football for the scholars. A custom which seems to have been peculiar to Appleby was for each pupil leaving to pay half-a-guinea towards the library, and Mr. R. E. Leach, the headmaster, some years ago

compiled a most interesting list of these donations. It was also an occasional occurrence that "old boys" gave money when they were married.

It was by the ancient Parochial Council of Sixteen that the first attempt to supply elementary education in Torpenhow was made, it being recorded that on May 12th, 1686, a resolution was passed in favour of founding a free school for the Bothel district. The "sixteen" from time to time drew up various rules for the conduct of the school, one of which would greatly astonish the present generation of certificated masters, because, in 1689, the master of the institution at Bothel (locally pronounced "Bohl") was ordered to "keep school from 6 in the morning till 11, and from 1 till 6 from Lady Day till Michaelmas," practically the same rule as was enforced by Lord Wharton at Kirkby Stephen.

An instance of the uncertain position occupied by the village schoolmaster in former days may be found among the records of Holme Cultram. In 1607 there being some controversy concerning the payment of the parish clerk or sexton, which previously had been paid in no regular manner, and the clerk claiming to be paid in meal, though no certain measure of it had been ascertained, it

was agreed and ordered by the sixteen men, with the consent of the other parishioners, that for the future there should be one person who should be both parish clerk and schoolmaster, and that he should have for his wages for every copyhold tenement and lease within the parish paying above 18d. rent, fourpence, and for every cottager and under-tenant twopence, to be collected yearly at Easter by the clerk, who was to be chosen by the sixteen men and approved by the ordinary. In addition, the schoolmaster was to have a quarterly sum for each scholar as the sixteen men from time to time directed. That scheme was recorded in 1777 as being still in operation.

In another place it has been shown how the sworn men had often a great share in the selection of the churchwardens and other officials. Their duties also extended to the procuring of money for educational purposes. It was ordered by Commissioners in the thirteenth year of Elizabeth, concerning the endowed school at Keswick, "that whereas two pence for every fire-house hath been paid to the parish clerk yearly, and also certain ordinary fees for night-watch, burials, weddings, and, moreover, certain benevolences of lamb wool, eggs, and such like, which seem to grow up to a

greater sum than is competent for a parish clerk ; the eight men shall hereafter take up the said two pence a house for the use of a schoolmaster, paying thereout to the parish clerk yearly 46s. 8d." In the time of King James it was found on inquiry by a Commission of Pious Uses, "that the eighteen sworn men had from time immemorial laid a tax for the maintenance of the schoolmaster, and other occasions of the parish, and appointed the schoolmaster, and made orders for the government of the school, and that the inhabitants had by a voluntary contribution raised a school stock of £148 2s. 3½d., nevertheless that Dr. Henry Robinson, Bishop of Carlisle, Henry Woodward, his Chancellor, and Giles Robinson, brother of the said Bishop, and Vicar of Crosthwaite, had intermeddled, and that the said Bishop, sometimes by authority of the High Commission for Ecclesiastical Causes, sometimes as a justice of the peace for the county, and sometimes by his power as ordinary, had interrupted the orders of the eighteen men, and had committed thirteen of them to prison. Therefore the commissioners restore the eighteen men to their authority concerning the appointing of a schoolmaster, and the government of the school."

Among the curious bequests known to have been made at various times by residents in the two counties, not the least noteworthy was that of the Vicar of Raughton Head, Mr. Sevithwaite, who, at his death in 1762, left £20 to the school; and another £20, the interest whereof, after the death of his widow, was to be laid out yearly in purchasing Bishop Beveridge's "Thoughts upon Religion," and the Bishop of Man's "Essay for the Instruction of the Indians," to be given to the poor housekeepers of the parish.

Among the curiosities of tenure in addition to those already mentioned in a previous chapter, was that of surrendering by the rod. In the summer of 1750 "John Sowerby surrendered to the lord of the manor (of Castle Sowerby) by the hands of his steward *by the rod* a messuage at Sowerby Row . . . to the use and behoof of Joseph Robinson and his assigns according to the custom of the manor; conditioned to pay yearly to three trustees £5 for the use of a schoolmaster within the liberty of Row Bound to be chosen by the trustees." As in most other places, the schoolmaster had to teach certain children for a very small sum per quarter, and the parents in

better circumstances had to pay 2s. 6d. per quarter for each child.

How faithfully some of the clerical schoolmasters performed their duties during long periods may be proved from numerous sources. One entry, a burial, will suffice—from the Mardale register of 1799 :—

“ Richard Hebson, in ye 75th year of his age. He was 53 years master of the Free School at Measand, and 51 years the pastor of this Chapelry. Singularly remarkable for his faithful, assiduous, and conscientious discharge of the duties of both these stations.”

At the beginning of the eighteenth century there were in the diocese of Carlisle few schools other than those held in the all too frequently dilapidated parish churches. In most cases the curates were the only schoolmasters, and it was as an encouragement to those clerics that the parishioners took it in turn to provide the curate with a “ whittlegate.” Much interesting information about the old-time schools and schoolmasters may be found in Bishop Nicolson’s Visitation Miscellany. One man, who afterwards became examining chaplain to Bishop Law, used to keep school at Sebergham in a mud hut. Of another cleric, the Rev. T. Baxter, who was incumbent of Arlecdon in the first half of last century, it is

recorded, in Mr. W. Dickinson's "Reminiscences of West Cumberland," that he "taught the parish school in the chancel of the parish church, on an earthen floor, without fire either in summer or winter." Bishop Nicolson's descriptions speak eloquently of the poverty of some parishes:—"The quire at Warwick, as in many other places, is shamefully abused by the children that are taught in it. Their present master is Thomas Allanson, a poor cripple, remov'd hither from Rockliff, who has no settled salary, only 12d. per quarter and his diet, and would be thankful for ye commendum of ye clerk's place; which, he saies, would bring him an addition of about six shillings p. an."

Of Irthington he wrote:—"The quire is here (as before) miserably spoil'd, on the floor, by the school boyes; and so vilely out of repair in the roof that 'tis hazardous comeing in it."

Crosby-on-Eden was a little better than the former place:—"Mr. Pearson, the school master, has no certain and fixed salary. He teaches the children in the quire; where the boys and girls sit on good Wainscot Benches, and write on the communion table, too good (were it not appointed to a higher use) for such a service." Here is a

picture with regard to Cumwhitton, not calculated to make people really wish for the old days about which some grow enthusiastic :—"The south window is unglazed and starves the whole congregation as well as the poor children ; who are here taught (for the present) by the parish clerk, a man of very moderate qualification. Mr. Robley, their new curate, is not yet resident among them ; but will shortly come, and take the office of teaching out of this illiterate man's hand."

In a parish not far from the Cumberland border—Allendale—the curates of West Allen High and St. Peter's Chapels were certainly as recently as 1835, and probably still later, obliged to teach the miners' children for 1s. 6d. per quarter each, in consideration of certain annual payments: These were five shillings from each miner of one description, and half-a-crown from those of another, which they, in common with the incumbent of Allenheads Chapel, received as ministers of the respective chapels.

It was certified in 1717 that while at that time there was no divine service performed in the parish of Clifton, some three miles from Workington, "formerly every family in the two hamlets [of Great and Little Clifton], being about forty in

number, paid 6d. each to one that read prayers, and taught the children to read, and the rector gave £2 a year, and officiated there every sixth Sunday, but that these payments had then ceased for above 40 years last past."

Reference was made in a previous paragraph to the custom of whittlegate as applying to schoolmasters. From the former chapter on church curiosities it will have been noted that the clergy occasionally had recourse to that method of supplementing their scanty incomes. As it often happened that the schoolmaster and parson were one and the same individual, difficulties were thereby removed. At any rate the following extract from Clarke's "Survey" of over a century ago has an interesting bearing on the subject. Writing of Ambleside, of which the Rev. Isaac Knipe, M.A., was curate and schoolmaster, he remarks :—

"The chapel is a low, mean building, and stands in the parish of Grassmere. The inhabitants (who are land owners), as well as those in the parish of Winandermere, as those in the parish of Grassmere, have the right of nominating and presenting the curate. The rector of Grassmere usually nominated the curate, but the inhabitants of this and many other perpetual curacies in the north have, by custom, gotten it from the rectors of

vicars; the reason is this: before the death of Queen Anne, many of the chapelries were not worth above three pounds a year, and the donees could not get persons properly qualified to serve them, so they left them to the inhabitants, who raised voluntary contributions for them in addition to their salary, with clothes yearly and whittlegate. Whittlegate is to have two or three weeks' victuals at each house, according to the ability of the inhabitants, which was settled amongst them so as that he should go his course as regular as the sun, and compleat it as annually."

The custom prevailed so late as 1858 in some country parishes; it is not a little curious that it has not been found to exist in any counties except Cumberland and Westmorland, though the Rev. J. Wharton, Stainmore, has informed the writer that it is recognised still in some parts of the United States.

The custom of barring out is probably unknown to the present generation of Cumbrian and Westmerian school-boys—at any rate in the sense in which it used to be observed. There exist numerous stories of the thoroughness with which the boys formerly maintained their supposed rights in this direction. The Rev. E. H. Sugden's sketch of the history of Arlecdon and Frizington shows how the observance was followed there every Christmas:—"The old men of the parish tell with delight their experiences and adventures in

carrying out this old custom. One says he remembers the master entering the school by creeping down the chimney. Another tells of a boy hiding himself in the chimney when the master had forced the door open. It appears that during this period of expulsion the doors of the school were strongly barricaded within, and the boys who defended it like a besieged city were armed in general with elder pop-guns. In the meantime the master would make several efforts, both by force and stratagem, to regain his lost authority. If he succeeded, heavy tasks were imposed, and the business of the school went on as usual ; but it more commonly happened that he was repulsed and defeated. The siege was continued three days, after which the terms of capitulation were proposed by the master, who usually pushed them under the door, and as a rule the boys accepted. These terms stipulated what hours and times should for the ensuing year be allotted to study, and what to relaxation and play. Securities were given by each side for the due performance of these stipulations, and the paper was then solemnly signed by both master and pupils.

“Mr. Sibson, of Whitehaven, formerly of this parish, relates the two following incidents in

connection with this custom. On one occasion, Mr. C. Mossop endeavoured to enter the school. As soon as he put his hand on the window sill, intending to enter that way, a boy hit his hand with a red-hot poker, so that for many days he went about with it in a sling. On another occasion, Mr. Hughes, the master, took some slates off the roof, and succeeded in getting his legs and part of his body past the rafters, but he could get no further, and the boys with red-hot pokers burnt him severely before he could be rescued by his friends. In those days many young men attended the school during the winter time."

At Appleby, the "barring out" sometimes lasted for days, and the scholars slept in the schoolrooms. In most places the mutiny was apt to break out early on the morning of the day fixed for breaking up for the holidays. They defied the master by means of sundry cries, that at Kendal being :—

"Liberty, liberty, under a pin,
Six weeks' holiday or *nivver* come in."

Apparently the custom was killed in the old grey town at the beginning of this century by the then master, Mr. Towers meeting with a distressing

mishap. He was contending with them, apparently for admittance, when his eye was accidentally destroyed, and the disaster served to bring about the abolition of the old custom.

Fine warm days of that Indian summer so often experienced in the two counties in September and October were devoted to "going a nutting," and the headmaster of Appleby Grammar School never refused a holiday at that season, provided that each scholar brought him a quart of "leamers"—nuts sufficiently ripe to leave the husks without compulsory treatment. As Christmas approached, the schoolmaster was "barred out" in orthodox fashion, until he agreed (and he only pretended to be loth to make the contract) to extend the coming holidays as long as his pupils demanded.



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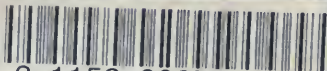
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